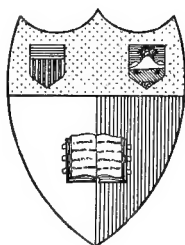


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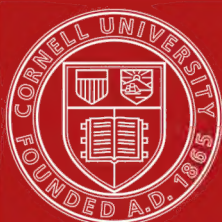
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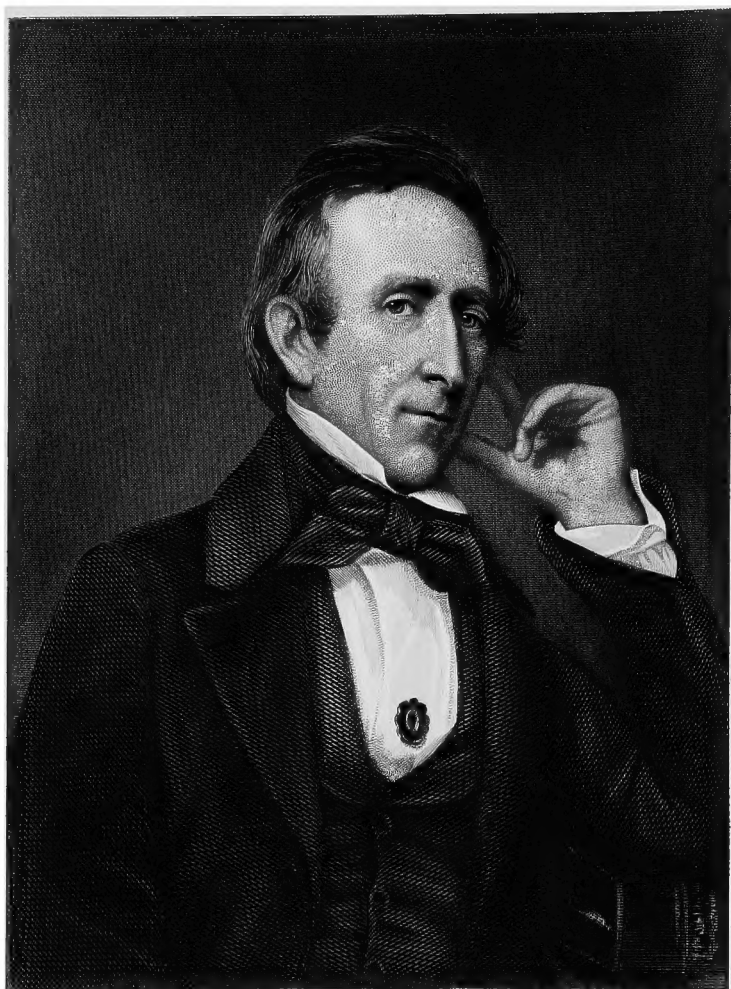
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John Tyler

PRESIDENT of the UNITED STATES.

THE
LETTERS AND TIMES
OF
THE TYLERS.

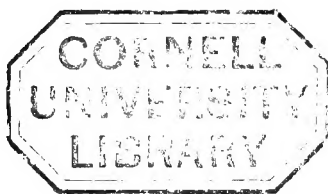
BY
LYON G. TYLER.

“Our course is too plainly before us to be mistaken. We must look to the whole country and to the whole people.”—JOHN TYLER to *Daniel Webster*, October 11, 1841.

IN TWO VOLUMES.
VOL. II.

RICHMOND, VA. :
WHITTET & SHEPPERSON, COR. TENTH AND MAIN STREETS.
1885.

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ADDITIONAL ERRATA TO THE FIRST VOLUME.

On page 15, note 1, 4th line from the bottom, for "has" read "have."

On page 134, in the 6th line, for "Constitutional History" read "Constitution-History."

To the P. S. to the letter on page 212 add "Now is our time."

In the 8th line from bottom, on page 253, for "if" read "no."

On page 118, in the 29th line, and page 472, in the 17th line, for "Pinkney" read "Pinckney."

In the 5th line of note 2, on page 406, for "Convention of 1788" read "Convention of 1787."

On page 588, the date of the letter to Thomas R. Dew should be "1839," and not "1836."

On page 607, in the 7th line from bottom, for "were" read "was."

ERRATA TO THE SECOND VOLUME.

On page 9, in the 21st line, for "1840" read "1841."

On page 44, in the 27th line, for "agreement" read "argument."

On page 270, in the 28th line, for "1843" read "1844."

On page 290, in the 3d line, for the "17th of March" read "17th of January."

On page 298, note 1 should be note 2, and *vice versa*.

On page 666, in the 19th line, for "route" read "rout."

On page 668, in the 6th line, for "merely" read "thereby."

MEMORANDUM OF LEADING DATES, ETC.,

IN

THE LIFE OF JOHN TYLER.

- 1790, March 29, Born in Charles City County, at Greenway. Son of Judge John Tyler and Mary Armistead, his wife.
- 1802, Enters the Grammar School of William and Mary College.
- 1807, July, Graduates at seventeen, and reads his address on "Female Education."
- 1809, Begins the practice of the Law.
- 1811, Elected to the Legislature.
- 1813, Marries Letitia Christian.
- 1815, Elected a member of the Council of State.
- 1816, Elected a member of Congress over Andrew Stevenson.
- 1821, Declines a re-election to Congress, after a service of five years.
- 1823, Re-elected to the House of Delegates.
- 1825, Elected Governor over John Floyd.
- 1826, July, Funeral Oration on Jefferson.
- 1826, December, Re-elected Governor unanimously.
- 1827, Elected Senator of the United States over John Randolph.
- 1829, Member of the State Convention.
- 1832, His Code for the District of Columbia.
- 1833, Brings about the Compromise of 1833.
- 1833, Re-elected to the Senate over James McDowell, 453.
- 1834, His Bank Report.
- 1835, Elected President *pro tem.* of the Senate.
- 1836, February 29, Resigns his seat in the Senate. Nominated for the Vice-Presidency.
- 1837, October, Address at Yorktown.
- 1838, January 10, President of the Virginia Colonization Society.
- 1838, June, Address at Randolph Macon College.
- 1839, Contest with Mr. Rives for the Senate.
- 1840, Elected Vice-President of the United States.
- 1841, March 4 to April 4, Vice-President.
- 1841, April 4 to March 4, 1845, President of the United States.
- 1841, Destroys the Bank of the United States and recommends the exchequer.
- 1842, Settles the difficulties with England. Secures the passage of the Tariff of 1842. Suppresses Dorr's Rebellion.

- 1842, Receives from Amherst College, Massachusetts, the degree of LL. D.
1843, Acknowledges the independence of the Sandwich Islands. Sends a Commissioner to China.
1844, Negotiates a Treaty for the annexation of Texas.
1844, Marries Julia Gardiner.
1845, Annexes Texas to the Union.
1850, June 29, His address at the University of Virginia.
1854, May, His address at Petersburg on "The Merchants of America."
1854, July 4, Honored by William and Mary College with the degree of LL. D.
1855, March 20, His address at the Maryland Mechanics' Institute, Baltimore: "The Prominent Characters and Incidents in our History from 1812 to 1836."
1856, April 24, His address at Petersburg: "The Dead of the Cabinet."
1857, May 13, His address at Jamestown, Virginia.
1858, November 4, Address before the Richmond Mechanics' Institute: "Richmond and its Memories."
1859, February, Address at William and Mary College.
1859, October, Remarks at the Masonic Consecration of the College.
1860, Elected Chancellor of William and Mary College, an office last held by President Washington.
1860, April 12, Eulogy on Clay at the unveiling of the Clay Statue in Richmond.
1861, January 19, Commissioner to President Buchanan.
1861, February 4, President of the Peace Convention.
1861, March 1, Takes his seat in the State Convention.
1861, June 21, Elected unanimously a member of the Provisional Congress of the Confederate States.
1861, November, Elected to the House of Representatives of the Confederate Congress.
1862, January 18, 12:15 A. M., Dies in the City of Richmond.

PRINCIPAL PORTRAITS, MINIATURES, ENGRAVINGS, ETC., OF MR. TYLER,

TAKEN FROM LIFE AND STILL EXTANT.

1. Oil painting by Jarvis, ordered by Mr. William Dandridge. Repaired by Perrego and Wade, of Baltimore. See Vol. i., p. 339. In the possession of Mrs. Letitia Tyler Semple.

2. A water-color painting, representing Mr. Tyler as a member of the Council of State of Virginia. Copied by Elder, of Richmond, for the college building of William and Mary College, at Williamsburg, Va. In the possession of President Tyler's niece, Mrs. Anne Munford, of Richmond, Virginia.

3. Oil painting by Healy, while Mr. Tyler was President of the United States. In the possession of his widow, Mrs. Julia G. Tyler, of Richmond. This Mr. Tyler, in 1855, considered the best extant of him. It is the frontispiece of the second volume of this work.

4. Oil painting by Healy, in 1859, under resolutions of Congress, intended to represent him as President. Mr. Tyler writes of this painting: "Healy's portrait of me is certainly admirable." Hangs at the White House.

5. Oil painting by Healy, taken at the same time as the next above, and hanging in Corcoran's Art Gallery. See Vol. ii., p. 594.

6. Oil painting by Hart, hanging in the rotunda of the Capitol of Virginia, among the Governors of the State.

7. Oil painting of Mr. Tyler as President of the United States, by Healy, for Bryan's collection of Presidents' portraits, which collection was purchased by W. W. Corcoran, and now hangs in the Corcoran Art Gallery in Washington.

[The painting of Mr. Tyler, taken by Cook, as Governor of Virginia, and the superb painting by Lamden, have been lost.]

8. Oil painting belonging to a citizen of Baltimore.

9. A crayon likeness of Mr. Tyler as President, now in the possession of Mary Blake Jones, in Washington, the niece of W. W. Corcoran.

10. A miniature by Mrs. Guillet, the sister of Mrs. Ritchie, *née* Mrs. Ogden, of New York.

11. Miniature presented by Dr. David K. Hitchcock, of Boston. In Mrs. Tyler's possession.

12. Medallions in gold and silver, struck at the United States mint in 1841.

13. Medallions in bronze, presented to Indian chiefs.

14. Silhouette by W. H. Brown in 1841.

15. An engraving by Fenwick, in 1841, while Mr. Tyler was President. (Very good.)

16. An engraving made for the Democratic Review in 1842, (poor.)

17. Fragment of a Bust by Petrick, cast in 1841.

18. Bust, cast from his head and features after death, at the order of the State authorities, in 1862. In the Virginia State Library.

CHAPTER I.

1841.

"Sir, I wish you to understand the principles of the government. I wish them carried out. I ask nothing more."—LAST WORDS OF PRESIDENT HARRISON.

"I will take this occasion to declare that the conclusions to which I have brought myself are those of a settled conviction, founded, in my opinion, on a just view of the Constitution; that, in arriving at it, I have been actuated by no other motive or desire than to uphold the institutions of the country, as they have come down to us from the hands of our godlike ancestors; and that I shall esteem my efforts to sustain them, even though I perish, more honorable than to win the applause of men by a sacrifice of my duty and my conscience."—JOHN TYLER, *Second Bank Veto Message*.

DUPPLICITY OF THE WHIGS.—CLAY'S APOSTASY.—PROCEEDINGS AT THE SESSION OF 1840-'41.—SECRET PLANS OF THE WHIG LEADERS.—PROTEST OF WISE.—ADAMS' DOUBLE-DEALING SPEECH.—VANDERPOEL'S PREDICTION.—THE PRESIDENT ELECT, HARRISON, ARRIVES IN WASHINGTON.—HIS TRIALS.—CLAY'S INSOLENCE.—HARRISON'S REBUKE TO CLAY.—DEATH OF HARRISON.—MR. TYLER BECOMES PRESIDENT.—ARRIVES IN WASHINGTON.—HE ASSUMES THE FULL TITLE OF PRESIDENT.—HIS POSITION SINCE THE ELECTION.—LETTER TO GILMER.—HIS POSITION ON THE NATIONAL BANK QUESTION.—HIS LETTER TO WADDY THOMPSON.—ISSUES, ON ARRIVING IN WASHINGTON, AS PRESIDENT AN ADDRESS TO THE PEOPLE OF THE UNITED STATES.—LETTER TO WILLIAM C. RIVES.—DEJECTION OF THE FEDERAL WHIGS.—DESPERATION OF CLAY.—CHARACTER OF MR. TYLER.—HIS NOBILITY AND PATRIOTISM.—PROPOSES TO SURRENDER THE SUCCESSION.—SECRET PROCEEDINGS UNTIL THE EXTRA-SESSION.—TUCKER'S PROJECT.—CLAY TO TUCKER.—TYLER TO TUCKER.—JUDGE WHITE'S PLAN OF A BANK.—STUBBORNNESS OF CLAY.—HIS RUPTURE WITH THE PRESIDENT.—WISE TO TUCKER.—EXTRA-SESSION.—EWING'S REPORT.—WISE'S LETTER TO TUCKER.

THE Whig party of 1840 had nothing to do with Bank, tariff, or internal improvements. According to the confessions of its eminent men, the loud declarations of its public addresses, and the history already given of the origin and development of the party, all these subjects were obsolete and of no practical value. The Whig party was the party of State-rights as compared with the Democrats. It had its rise in the usurpations of Jackson, and its strength in the support of the old Crawford party, which had assisted Jackson to power in 1828, but which kept falling from him and Van Buren, from the date of the for-

mer's election in 1832, until the last weary recruit in the person of William C. Rives wandered into camp in February, 1840. Without the aid of the Crawford-Jackson men, as Clay himself confessed, the Whig party would have remained in a "perpetual and hopeless minority."

The Richmond *Whig* pronounced the Whig party to be the only *genuine* Republican party.¹ Harrison roundly declared at Dayton that the Augean stables of Van Burenism could only be cleansed with a Jeffersonian broom.² Tyler challenged the whole world to instance in his public career of twenty-eight years a single departure from the principles of the old Republican party.³ Webster, who had crippled by his votes the prosecution of the war of 1812, of old the stout advocate of the Bank, the tariff, and all the other Federal measures, in a speech at Patchogue, New York, on the 22nd of September, 1840, not only affirmed himself "a Jeffersonian Democrat" of the purest water, but lashed himself into a towering passion, and denounced any man who should call him an aristocrat, within the reach of his arm, "a liar and a coward."⁴ Even Francis Granger, whose soul was saturated with the bitterness of anti-Masonry and abolitionism, in a statement in the Richmond *Whig* was made out a very agreeable character to the Southern State-rights men.⁵ "This claim," said B. F. Butler, Jackson's Attorney-General, in a speech at Tammany hall, on the 24th of September, 1840, "to be regarded as the true successors of the Democracy of 1800 has recently been made by the modern Whig party in every quarter of the Union; we may see it in the titles of their newspapers,⁶ in the calls and proceedings of their public meetings, in the hand-bills which are placarded on our walls, and in a variety of other forms. One of the most singular and imposing of the modes recently adopted to give it currency, and es-

¹ See Vol. i., p. 612.

² Niles, lix., p. 71.

³ See Vol. i., p. 623.

⁴ *Extra Globe*, p. 324.

⁵ "Francis Granger, who is to be Postmaster-General, is violently assailed for abolitionism. He took me aside this morning, and assured me that there was not a man living whose good opinion he would be more unwilling to forfeit than mine. He attempted an explanation of a statement in the Richmond *Whig* concerning the slave question between New York and Virginia, which, considering what he had said to me on the subject, had almost surprised me. His explanation was by no means satisfactory; but he said he should be ultimately justified." (*J. Q. Adams' Memoirs*, x., p. 434.)

⁶ Thus the Richmond *Whig's* motto was: "The Constitution.—State-rights."

pecially with the Democratic people of New York, is the speech of a distinguished senator from the State of Massachusetts, delivered only two days ago at a Whig gathering at Patchogue, in old Suffolk, time out of mind one of the most decided and consistent of the Democratic counties of this State."¹

Butler told the truth; but Blair, of the *Globe*, hit equally the mark when, alluding to the secret intentions of the *majority* of the Whigs, he charged the Whigs with having assumed "false names, false colors."² The Whigs were pledged to a State-rights policy, but the old nationals of 1832 had the majority, and how little they considered themselves bound by the most solemn promptings of honor their whole past career had evidenced. No sooner was the election of Harrison an assured fact than the cloven foot, which the Federalists had so carefully concealed, was discovered to the world, and eager hands were groping in the darkest dungeon of the Whig castle for the banner of the Bank, which for seven years had been kept carefully hidden from human sight.

That the old nationals, in the face of all their recent pledges, could contemplate so early a conduct so treacherous to their allies, seemed appalling enough, however much one kept in mind the convenient nature of their rule of action in all things political or otherwise. True, with them the Constitution was absorbed in the "general welfare" clause, and that again in the whims and caprices of every party leader; but was their rule of expediency subject itself to no moral regulator? Grant that personal gain and aggrandizement are the sole ends of existence, is it not generally recognized by mankind, in ordinary business transactions, that "honesty is the best policy"? Might there not also have been found in the advanced age of the President-elect, William H. Harrison, his delicate health, his faithful public services, and pure and elevated character, potent considerations appealing to generosity, forbearance, and magnanimity!

Shame be it said, that the very circumstance of the Whigs having elected a great soldier, but one not over-versed in civil affairs, as president, and his physical ailments, which threatened a speedy termination of his life, operated as the strongest inducement to hurry on the forces of Federalism. And there was a leader at hand to direct the attack,—and he as unscrupulous as

¹ *Extra Globe*, p. 324.

² *Ibid.*, page 337.

he was overwhelming in his personal magnetism. This was no other than Henry Clay.

Betrayed at Harrisburg by the Federalists of the Whig party—the anti-Masons, the manufacturers, and National Republicans,¹—Clay had watched with feelings of bitter disappointment the course of the canvass. When Wise brought him the news of his defeat, and the nomination of Harrison, he was found under the influence of strong drink, and in Wise's presence “he employed the most impudent, coarse criminations of others,” and deluged the air with a wild flood of oaths and imprecations. After all, his courtship of the South had availed him nothing! After all, he had given up his favorite measures to reap disaster! The single thought that now occupied him was to retrieve defeat.

As soon as the victory was declared in favor of the Whigs, Clay was prepared to act. On the instant away went the strait jacket of strict construction, and once more he donned the Federal coat of many colors. His *quondam* enemies received him with the same appalling shout as had greeted Calhoun from the locofocos, in 1837, on his defection from the Whigs. But there was this difference in the two cases: there was no distrust on the part of the National Republicans, as there had been in the case of Calhoun, since Clay immediately gave the most convincing proofs that he was ready to go the “whole hog”—bristles, tail, and all.

The whole public career of Clay proves him to have been a man of low moral character. He was great in eloquence, in manner, in gesture, and in personal magnetism,—but in the higher qualities of mind—in judgment, in well digested ideas, in foresight—he sank low in the scale. In these latter respects he could

¹ “He (Gales, of the *National Intelligencer*,) told me that the nomination of Harrison at Harrisburg was the triumph of anti-Masonry, and was entirely the work of W. H. Seward, the present Governor of New York.” (*J. Q. Adams' Memoirs*, x., page 152.)

The *Extra Globe* contains the following:

“A FACT TO BE NOTED.—General Harrison was run as a candidate for the presidency in 1836 on the same ticket, nominated by the same party, with Francis Granger, of New York, a well known and distinguished abolitionist! The abolition Whigs, not being able to run in both abolitionists, now endeavor to run in their chief, Gen. Harrison, by aid of Tyler influence.” (*Extra Globe*, Oct. 5, 1840.)

² “Henry Clay is merely a splendid orator, without any valuable knowledge from experience or study, or any determined public principles founded in political science, either practical or theoretical.”—*Thomas Jefferson*.

offer no comparison with Harrison; nor could he compete with him in those essential characteristics of the gentleman which are absolutely necessary for true success in anything. Had he been elected in the place of Harrison, it is probable that his administration would have been more barren in its results than that of J. Q. Adams, under which he played the part of Secretary of State, and which could boast alone of commercial treaties without the dignity of any very important one. The restraint under which he had placed himself during the past seven years only exaggerated the license which he now assumed. How far his naturally dictatorial temper had been twisted into peevish arrogance by age and repeated disappointment, was aptly shown in his disgraceful scene with General Scott at a whist table in Boulanger's restaurant; in his collision with Senator W. R. King, of Alabama, at the executive session, March 9, 1841; and his bullying attack on Rufus Choate in the Senate Chamber at the extra-session of 1841. Such confidants as John J. Crittenden and R. P. Letcher came to speak of "caging" him, as though he were a wild beast.²

A national bank and a high tariff became now the cardinal objects of Clay's policy; and the precarious health of Harrison tempted him to carry a bold hand, while at the same time it warned him not to delay pressing forward his measures. Scarcely six months before the meeting of Congress in December, 1840, Clay at Taylorsville, in Hanover county, Virginia, had spoken of a sound and stable fiscal system as the great "end" to be worked for, and of making public opinion the sole test of deciding whether

¹ "Henry Clay closed a short and intemperate speech by declaring some personalities uttered against him by William R. King, of Alabama, false, untrue and cowardly. The Senate shortly after adjourned; but in the meantime Dr. Linn, of Missouri, had delivered a note from Mr. King to Mr. Clay, and there was a rumor that King and Clay were both arrested by warrants from a magistrate."—*J. Q. Adams' Memoirs*, x., p. 442.

² [R. P. LETCHER TO J. J. CRITTENDEN.]

FRANKFORT, June 21, 1842.

DEAR CRITTENDEN: The old Prince is taking a pretty considerable rise everywhere, I can tell you. I guess he now begins to see the good of leaving the Senate,—of *getting off* awhile merely to *get on* better. He must hereafter remain a little quiet and *hold his jaw*. In fact, he must be *caged*,—that's the point, *cage him*! He swears by all the gods, he will keep cool and stay at home. I rather think he will be prudent, though I have some occasional fears that he may write too many letters; still, he is quite a handy man with the pen, and his letters have *some good* reading in them. Will Scott run upon his ticket as vice-president?

the Whig fiscal agent should be State banks "carefully selected and properly distributed," or a national bank. And how could public opinion have expressed itself upon the subject? If a national bank was now the popularly ascertained instrument to secure a sound and sufficient currency, the issue must in some way have been fought in the late canvass between it and the State banks; and how could that be, when the Democrats, with whom the issue alone was possible, had as little use for the State banks as a national bank, and contended for the Independent Treasury?

But Clay had a way of his own to answer the question. Virginia had voted for Van Buren, and accordingly, at the beginning of the session, in December, 1840, he astounded Wise in greeting him with the remark that the loss of Virginia was a fortunate event, "since we would not now be embarrassed by her *peculiar* opinions."¹ So eager was Clay, that, though the Democrats had still a majority in the Senate, he moved the repeal of the Independent Treasury. Yet there was a sly and calculating method in his madness. When Wright, of New York, protested against the act, and demanded of Clay what substitute he would propose, Clay adroitly evaded the question, and kept up his old policy of deceit and secrecy, by replying, "Sufficient for the day is the evil thereof."² Without the aid of the State-rights men in Congress, Clay knew that his plans could not carry. A too pronounced course all at once might drive them off forever.

Van Buren's administration had hitherto lived from hand to mouth by the issue of treasury notes, and the Secretary of the Treasury announced to Congress at this session the necessity of a new issue to meet the deficiency in the revenues for the ensuing year. The opposition pretended to see in this the certain evidence of an unknown but enormous debt, and this again was taken advantage of in the Whig caucus to declare for an extra-session.

¹ See Vol. i., page 600.

² "The honorable senator (Mr. Wright) had called upon them to declare what would be their measures after the sub-treasury was destroyed. Whether it would be a Bank of the United States, or whether it would be a system in connection with the local banks. Why, sufficient for the day is the evil thereof; they had now nothing but the sub-treasury to handle, and that was sufficient for them. Let them remove that out of the way, and then those coming into power would bring forward their measures, and then it would be time for the distinguished senator from New York to be heard." *Congr. Globe*, 1840-'41, page 21.)

Henry A. Wise noted the design which lay under this movement, and in a speech, which occupied him during parts of three days, he boldly arrayed himself in antagonism to Clay. "*As the friend of the incoming administration,*" Wise contended for providing adequate means for carrying on the government until the next regular session, in December, 1841; protested against a called session of Congress, and inveighed against a premature revision of the compromise tariff act, the distribution of the proceeds of sales of the public lands while there was a deficiency in the revenues, and "the *premature* agitation of the national bank question."¹

Clay had attempted a somewhat hazardous task, as he knew that all the Southern Whigs either hated or feared the Bank, and that the future President's inclinations were against it also. So on the compromise tariff Harrison was especially committed to its preservation. But so far as Harrison was concerned, Clay trusted to consolidating his forces before the inauguration, so as to render the pressure on the President simply irresistible.

The explosion of Wise, whose talents had won for him the first place among the Southern Whigs in the House, forced the old nationals to keep up even more artfully the guise of concealment. Adams, the Diogenes of the House, in a speech on the Treasury Note bill, as late as February 4, 1841, planted his standard, as he said, against that of Wise, ostensibly on the *duelling* question, but really as the representative of the nationals in the House. He waved away the present discussion of Bank and tariff, and thus proceeded to stultify himself and his party on those questions:

You are discussing here what shall be done,—whether we are to have an

¹ "Sir, I yield to no man in friendship to a properly organized, properly located, and well managed national bank. And as a friend to that measure I inveigh against urging it prematurely and in the midst of pressure. If you press it too eagerly, too hastily at the wrong time, you will lose the question for twenty years to come." (Wise on the Treasury Note Bill, *Congr. Globe*, 1840 '41, Appendix, page 290.)

Wise was supported by Dr. Frank Mallory, of Virginia, and by James Garland, of Virginia.

In his card to the *Richmond Whig*, of February 2nd, 1841, Mr. Wise said, in allusion to his speech, "When published it will speak for itself, and show whether I have departed in the least from the positions I have heretofore occupied, and whether now I do not stand upon the only ground which can be occupied by the *Republican portion of the Whig party* in Virginia and throughout the Union." (See *Enquirer* of February 6, 1841.)

extra-session, what shall be done with the State debts, what shall be done with State-rights, what shall be done as to a national bank,—and yet you do not know what is the opinion of the President-elect of the United States, who is, on the 4th of March, to take the executive chair. . . . Sir, it appears to me that when the President of the United States is installed, at which time this question of a national bank must come before him, he will decide it with a view to all the interests of the country. How shall we decide it here, if at all? We passed a resolution, three or four years since, introduced by the then chairman of the Committee of Ways and Means,—a gentleman not a member of this House, (Mr. Cambreleng)—declaring that there ought not to be a national bank. How long that state of opinion may last, I will not undertake to say. I do not know. But when the President of the United States recommends (if he should ever do so) the establishment of a national bank, then, I think, will be the time for discussing the question, and not now. . . . I have not, therefore, made up my mind on the question of the distribution of the sales of the public lands, *or upon any other matters to which I have referred*, and which may have been introduced into this debate.

But the “toad squat” was never better revealed as Lucifer under the touch of Ithuriel’s spear, than were the character and designs of the old nationals by Mr. Vanderpoel, of New York, in a speech made four days before this:

Your pretext for an extra-session is an impoverished treasury, which will render it difficult to get through the year without additional aid. That, said Mr. Vanderpoel, was the *pretended*, but not the true moving cause of an extra-session of Congress. The party so lately victorious were too impatient to wait the natural course of time for the execution of those measures (of abomination, as he believed,) which they intended to fasten upon the country. The Independent Treasury law must be instantly repealed, because, if you give it another year’s chance, fairly to try its operation, all your predictions as to its disastrous effects will be falsified; the public lands must be divided among the States to advance the interests of speculators in State stocks, credit-system bankrupts, and Eastern manufacturers, British capitalists, and some other favored associations, always excepting the people at large,—the working, unambitious, quiet, tax-paying portion of the community; outfits must be provided for new missions abroad, or for new ministers to be appointed instead of old and recalled ones, as a reward for partisan service, and as a pledge of the sincerity of yourselves and your chief in fulminating such repeated denunciations against the odious “*spoils system* ;” and last, though not least, a huge national bank must be chartered to complete the subjection of the free born people of this country to the money power of England and America.

These are the choice blessings, the “measures of relief,” you now contemplate, and which you are too eager to usher into being to be willing to defer their consummation until the periodical meeting of the national legislature. A special session of Congress must be convened with a view to these gigantic

measures. Why not deal candidly with us, and tell us that *these* constitute the necessity for your called session? Why still further persist in your non-committal and hypocritical game,—professing one motive, and actuated by another; professing one object, and actually aiming at another? . . . Let the triumphant party meet here during the scorching months of June or July, before the exacerbation of feeling consequent upon recent disappointment had subsided, and his word for it, very few weeks would exhibit it in a light which its very few disinterested friends would have cause to deplore. Distractions, divisions, heart-burnings would be the order of the day. We have already heard the rumbling echoes which precede the storm. We knew full well that the discordant, heterogeneous materials of which this party was composed foreboded a certain, if not speedy, dissolution. . . The gentleman from Virginia (Mr. Wise) had already given his party fair warning, that if they attempted to push through some of their measures, fidelity to which is regarded by its leading members as the criterion of its true faith, they would find him “kicking against the pricks.” Yes, before the termination of this year of our Lord, 1841, the huge majority which you have promised yourself on this floor will manifest too much congeniality with the gentleman from Virginia not to render it unavailing for the great purposes to which you look as the fruit of your victory.¹

On February 6, 1840, General Harrison, the President-elect, arrived in the city of Washington. He was in feeble health, and in no condition physically to withstand the trials of his station. “He was,” says Wise, an eye witness, “in a high state of exaltation, and agitated to a degree which could not fail to break him down physically and mentally.”

Clay did not let the grass grow under his feet. The accession of the vice-president was certain, and there was no time to lose.² In the formation of the cabinet, and the discussion of the future

¹ Speech of Mr. Vanderpoel, *Congr. Globe*, Appendix, pp. 333-334.

² Clay, writing in December, 1840, remarked upon the “broken” health of General Harrison (Clay’s *Corresp.*, p. 146). R. P. Letcher, in a letter to J. J. Crittenden, dated January 1, 1841, advised the latter to retain his seat in the Senate until Harrison had been actually inaugurated, and could make good the offer he had made him as attorney-general. “Suppose,” said he, “General Harrison should die before the 4th of March, what might be your condition then?” (Coleman’s *Crittenden*, i., p. 134.) Mr. Tazewell, at Mr. Tyler’s own house in Williamsburg, before the election, predicted the death of Harrison, and the difficulties by which he would be immediately surrounded. The question of the Henrico Committee was put to Mr. Tyler in anticipation of Harrison’s demise. December 11, 1840, Clay remarked to Adams, “that before leaving home he had seen the President-elect, Harrison, and that he looked well, though somewhat shattered.” (*J. Q. Adams’ Memoirs*, x., p. 372.)

governmental policy, scenes occurred which will never be described by either biography or history.¹

Bravely did the old General struggle against the infinite influences brought to bear upon him. He would not commit himself to any system without due deliberation. Even as late as the 11th of March no system of administration was settled or organized.² The old nationals were constantly active. In the midst of the session of the New York Legislature, William H. Seward, the anti-Mason and the then governor of that State, sent by the hand of Mr. Dickinson a letter for the President-elect, urging upon him the policy of a Bank, tariff, and the distribution of the proceeds of sales.³ Dickinson arrived after Harrison was dead.

So lost to shame was the conduct of Clay even before the inauguration, that Harrison was obliged to inform him, "Mr. Clay, you forget that I am the President."⁴ Not even this rebuke could subdue the violent insolence of the man. In an interview with Clay on Saturday, the 13th of March, 1841, Harrison bluntly expressed his positive displeasure at the intimations which constantly came to him of his interference in matters coming within the President's official responsibility.⁵ Sargent, a fanatic worshipper of Clay, says,⁶ that "calling upon Mr. Clay one day after the close of the executive session of the Senate, he found him alone, pacing his room in great perturbation, and holding in his hand a note from Harrison, the purport of which was a suggestion from the President that all communications and suggestions which he might think proper to make him should come in writing, as

¹ Seven Decades, p. 180.

² "I called at Gadsby's, to have some conversation with Mr. Abbott Lawrence, who is in the confidence of Mr. Webster, and is in frequent consultation with President Harrison's Cabinet. I asked him if their system of administration was settled and organized. Not yet." (*Adams' Memoirs*, x., p. 443.)

³ *Ibid.*, x., p. 461. Seward's Seward, p. 555.

⁴ In the latter part of February, 1841, President Harrison visited Richmond. He was entertained by James Lyons, the president of the Tippecanoe Club of Richmond, and the author of the Virginia Whig Address (see Vol. i., p. 609). Mr. Lyons, in a letter to the *New York World* of August 31, 1880, thus writes: "It is in vain to charge Mr. Tyler with the consequences of the quarrel with Mr. Clay. Gen. Harrison and Mr. Clay would have quarreled on the same point if Gen. Harrison had lived; for he told me at my house that Mr. Clay's violence with him was so great that he was obliged to say to him: 'Mr. Clay, you forget that I am the President.'"

⁵ Clay's Corresp., p. 452.

⁶ Sargent's Public Men and Events, ii., p. 116.

frequent personal interviews between them might give occasion to remark, or excite the jealousy of others."

The Whig leaders, who had so loudly talked of the abuses of removal by the previous administration, entered zealously into the work of ousting Democrats from their places, and filling the offices with the *whole hog* men of their own organization. Each of the great men of the party had his batch of friends to provide for, and they gave Gen. Harrison to understand that their wishes must be complied with at all hazards, or else he would smart for it. Proffit, a member of Congress from Indiana, has given us an account of a scene at the White House which he witnessed between Gen. Harrison, and three or four leading Whigs, on the 22d of March, 1841, and at the last interview which he, Mr. Proffit, ever had with him:

These men were urging the indiscriminate discharge of Democratic office-holders. All the parties appeared warm and eager in the controversy until at length Gen. Harrison started up, and with a warmth and energy he rarely exhibited, he extended his arms, exclaiming at the same time, "So help me God, I will resign my office before I can be guilty of such iniquity." After they were gone the President turned to me and remarked, "Proffit, I am glad to see you. The Federal portion of the Whig party are making desperate efforts to seize the reins of government. They are urging the most unmerciful proscription, and if they continue to do so much longer, they will drive me mad!"¹

While thus on a high horse, Clay was proceeding to play the part of the mayor of the palace, with a nominal authority only in the man who wore the crown, Heaven interposed its hand, and snatched the old General from a contest for which his health, but not his spirit and character, disqualified him, and devolved the duties of his high office upon the shoulders of the Vice-President, John Tyler. Harrison died on the 4th of April, 1841, precisely one month after his inauguration. The event—the first of its kind in the annals of the Union—created a profound sensation throughout the country.

The new President was at Williamsburg at the time, far removed from the disgraceful scenes which were going on in the political circles in Washington. Summoned by a messenger, dispatched by the Cabinet immediately on the decease of Harrison,

¹ Washington *Madisonian*, July 8, 1842.

he promptly repaired to the capital, where he arrived on the 6th of April, 1841, at four o'clock in the morning, making the distance of two hundred and thirty miles in twenty one hours by express. On the same day the President called his cabinet together, and after a protracted sitting, in which the subject of Harrison's death was the chief topic of conversation, its members were requested by Mr. Tyler to retain their places under him. On the next day the President attended the funeral of Harrison, a scene of great solemnity, and on the 14th he took possession of the White House.

Was it a mere accident that the Federal cabinet of Harrison addressed Mr. Tyler, in their note apprising him of Harrison's death, as *vice-president*? It might very well happen that such a character in Mr. Tyler would help them in the designs which they had formed to force the old Adams' programme on the country. But Mr. Tyler knew the purport of the clause in the Constitution which declared that "in case of the removal of the president from office, or his death, resignation, or inability to discharge the powers and duties of said office, the *same* (*i. e.*, the office) shall devolve on the vice-president." Knowing that the precedent now set by him would be forever the established law of the government, with a firmness from which the Whigs might have taken warning, he assumed the name and full dignity of the office to which he was now elevated. Viewing the time of his accession to the presidency as taking place *eo instanti* that his predecessor had died, in subscribing to the oath on the day of his arrival in Washington, to execute the office of president, he expressed himself as doing so only out of greater caution, since he deemed himself qualified to perform the powers of the same without any other oath than that which he had taken as vice-president. When the subject came up in Congress, on the 31st of May, 1841, on motion of Mr. McKeon to amend the resolution notifying the President of the United States that Congress was ready to proceed to business, by striking out the word "president," and inserting the words "vice-president, now exercising the office of president," Mr. Wise declared for the "President," that he knew the fact, that "the present incumbent would claim the position that he was, by the *Constitution, by election, and by the act of God*, President of the United States."¹

¹ *Congr. Globe*, 1841, page 4.

But the Whigs were not now prepared to contest the matter, and the firmness of the President triumphed in his formal recognition as such by both Houses of Congress.¹

Mr. Tyler was the youngest president that, up to this time, had held the chair of the chief magistracy. He was exactly fifty-one years and six days old on the day of Harrison's decease. For thirty years his life had been spent in the familiar conduct of public business. Ten years in the General Assembly of the State, five years in the House of Representatives, a term and portion of another governor, nine years a senator, and ever in the whirl of political struggles that called giants into being, Mr. Tyler yielded to none of his predecessors in the qualifications he possessed for the first office in the gift of the people. His political life had been a succession of victories. Andrew Stevenson he had defeated for congress; John Floyd for governor; John Randolph for senator, in 1827; and James McDowell for senator, in 1833. He had been in the field twice for the vice-presidency,—1836 and 1840. Never making political blunders, never a blatant politician, never engaging in intrigues for office,² never sacrificing prin-

¹ No yeas and nays were taken in the House. In the Senate the recognition was agreed to by yeas, thirty-eight; noes, eight. Mr. Walker's speech on the subject is conclusive (*Congr. Globe*, 1841, page 5). The following note was written in 1848, by ex-President Tyler to James Buchanan, the then Secretary of State:

SHERWOOD FOREST, Oct. 16, 1848.

SIR: The enclosed package is returned in such manner as to meet your own eye. I cannot recognize myself in the address of *ex-vice-president*; for the *third time* it is repeated in annual communications from your department, and obviously arises from a studied purpose. I feel convinced that it has been without your sanction or direction, but proceeds, in what spirit I will not undertake to say, from some subaltern in your department. I desire only to say, that if I am addressed, and especially from the State department, by a title, it must be by that which the Constitution confers, which has been recognized by the country and all the departments of its government, and has been used in the public correspondence with foreign nations, in the ratification of treaties, and approval of the laws.

A few days after Mr. Tyler wrote to his son that the last mail had brought him a letter from Buchanan entirely "apologetic."

² In a letter to Robert Tyler, dated December 14, 1857, written while the country was torn with the excitement of the Kansas difficulties, President Tyler said:

[TO ROBERT TYLER.]

Now, one word as to your future. So much is the future of the country overcast, that the future of political pursuit becomes a mere myth. Is it worth the pursuit? Furthermore, a long political life opens to me this truth, that those who pursue political advancement are almost always disappointed. Who ever ran

ciple,—a plain Virginia farmer-statesman,—Mr. Tyler had the resolution to maintain his convictions, and the exhaustless tact to make them prevail. Once more, and for the last time, a Virginian by birth and residence occupied the seat of Washington, after the reign of nationalism for sixteen years. The old line of policy was to be taken up where Monroe had left it, and it remained to be seen what the last of the Virginia presidents could accomplish under ten times the difficulties that had assailed any of his predecessors.

Mr. Tyler, in his retirement, had watched with peculiar solicitude the course of affairs after the election. In anticipation of Harrison's visit to Richmond, Mr. Gilmer, who presided as governor of Virginia until the 20th of March, 1841, sent an urgent invitation to Mr. Tyler to meet the President-elect at the governor's mansion. The Vice-President-elect replied as follows:

[TO GOVERNOR T. W. GILMER.]

WILLIAMSBURG, *January 7, 1841.*

MY DEAR SIR: Your very kind letter of the 2nd inst. reached me by last mail, and in reply I have to return you my thanks for your invitation to take shelter under your roof in the event of the contemplated visit of the President-elect to the city of Richmond. I shall do so with the greatest pleasure. My hope is that General Harrison will not permit any slight impediment to turn him aside from his expected visit to Virginia. The freest interchange of feeling and sentiment with his friends in Richmond, and he has none more sincere any where, is particularly desirable before he shall have committed himself upon the subject of his cabinet. Your estimate of the great importance of the *first* step is every way just, and I hazard nothing in saying that if his cabinet be cast of the proper material, that from that moment the voice of faction will be entirely silenced as to his future course. The question of the succession is the one to be shunned, as far as may be, in all its bearings.

With the assurance of my sincere regard, I am, dear sir, truly yours,

JOHN TYLER.

Harrison did not visit Richmond until he had first visited Washington. There the politicians had already determined the char-

the chase with more eagerness than Clay, Calhoun and Webster? and the goal, always in view, was never reached. And yet I, who never reached forth my hand for any office, and who never entered into a political intrigue in my life, have soun led "all the depths and shoals of honor." I come to the conclusion, therefore, that the surest means of advancement is to *discharge faithfully the duties of the position in which you may be*, and leave the future to take care of itself. To this may be added the saying of Iago to Roderigo: "Put money in thy purse," and "if honor comes, it comes unlooked for, and there's an end."

acter of his cabinet. It was divided into two rival factions,—a Webster and a Clay faction. The former was represented by Webster himself as Secretary of State, and Francis Granger as Postmaster-general. The Clayites were Thomas Ewing, Secretary of the Treasury, John Bell, Secretary of War, George E. Badger, Secretary of the Navy, and John J. Crittenden, Attorney-general. The Clay interest was greatly predominant, and their leader had taken care to fill the office of Secretary of the Treasury, the most important political office at this juncture, with Thomas Ewing, one of his own adherents, to the exclusion of Webster, who was pushed by his friends.¹ A cabinet made up, as Harrison's was, with a direct bearing on the succession, was not exactly the "proper material to silence the voice of faction," or allay the apprehension of the smaller wing of the Whig party. But when this "*first* step" was succeeded by another that demanded an extra-session for the secret, though assured purpose, of a national bank, Mr. Tyler no longer doubted that the administration was in the leading strings of Federalism, and that the "free interchange of feeling and sentiment" so much desired by him, between General Harrison and his State-rights friends, was an absolute impossibility.

On the inauguration of Harrison, Mr. Tyler staid at Brown's hotel, now the Metropolitan. Observing the secret current of affairs, and knowing that he might be called upon in the then nicely poised state of parties in the Senate, to cast his vote as president of the same, for or against a national bank, in the event of a tie, the question as to what he should do in such an emergency became a matter of anxious reflection with him. Could any national bank receive his approval?

The power which Mr. Tyler had always denied was the power of national incorporation within the limits of the States without their consent previously ascertained. But Congress had exclusive jurisdiction over the District of Columbia, and a District bank, organized by Congress with the power of establishing branch offices in the different States, with their assent, was not only not unconstitutional, but being more convenient to the capital and the eye of the government, was in many ways more expedient than a Bank situated like the old in a distant city. Such a *national*

¹ Clay's Corresp., pp. 446-447.

bank had received the approval of Eppes in 1814, and the State-rights school. Even in 1832, when it was proposed anew in Congress, it had received the approval of all the State-rights senators, Mr. Tyler included. In 1837, White once more brought this project of a bank to public notice.¹ The constitutionality of such a bank had been always admitted by Mr. Tyler, and it was the only kind of a bank for national purposes which Mr. Tyler could ever be induced to approve.

Such was the tenor of his conversation with Waddy Thompson, who called upon him with Mr. Botts to ascertain his course in the Senate, should William C. Preston, the senator from South Carolina, be called into the cabinet of Harrison, and a bill establishing a national bank come to a tie in the Senate, over which Mr. Tyler presided as vice-president.

Thompson, though a State-rights Whig, and opposed to the Bank, had been a great friend of Mr. Clay, and afterwards supported him for the Presidency in 1844. His appointment as minister to Mexico in 1842 was made only out of deference to the previous promise of General Harrison, and at the special personal instance of Judge Tucker, who was a great friend of Thompson and Preston. Thompson came to Mr. Tyler at the request of several of the most distinguished Whigs in Congress and in company with Mr. Botts, who became the representative of the worst features of the times, and whom Wise rightly describes in his *Seven Decades* as the "ogre of Whig politics."

[WADDY THOMPSON TO PRESIDENT TYLER.]²

MEXICO, *January 30, 1843.*

MY DEAR SIR: Mr. Southall has delivered me your message, requesting that I should state the substance of a conversation which passed between us in your rooms, at Brown's hotel, before the inauguration of General Harrison. You will have already received a letter from me on that subject, which I had felt it my duty to address to you, before I received your message. I should have done this before, but from peculiar circumstances and considerations, which will occur to all. You very well know, sir, that, whilst you seemed to hesitate as to offering me this mission, which had been tendered to me by General Harrison on the third day after his inauguration, that I made

¹ Niles, liii., p. 10.

² See Washington *Madisonian*, June 7, 1843, where the letter is published. Also *Enquirer*, June 20 and 23, 1843.

no professions of friendship to you, and I doubt not that even now my motives in doing this simple act of justice to you will be misrepresented. During the various consultations as to the gentlemen who were to constitute the cabinet of General Harrison, the name of the most intimate friend that I have in the world, Colonel William C. Preston, was presented to General Harrison by most of the Whigs of the South, for the navy department. Very many of the *most distinguished* members of the Whig party, knowing the close intimacy between Colonel Preston and myself, came to me and said, *that if Colonel Preston was taken from the Senate, the vote on the Bank question would come to a tie, and that you would certainly give your casting vote, as vice-president, against such an institution.* I, therefore, called upon you, in company with Mr. Botts, of Virginia, and introduced the subject of a Bank, so as to draw from you your opinions, and thus remove the only objection which had been or could be made to the appointment of Col. Preston, although I knew that he did not desire the *appointment*, and would not have accepted it, unless it had been tendered under such circumstances as would have left him no wish to refuse it. I was nevertheless anxious that it should be tendered him, and that he might thus have an opportunity of putting down the only imputation with which malice had even touched his name—the desire of office.

Whilst I could not have voted for a Bank myself, from constitutional scruples, I have never doubted the beneficent effects of such an institution. I therefore, in a somewhat long conversation with you, presented many of the arguments which were used by the advocates of the constitutionality of such an institution. I cannot now repeat all that you said, but I know that a very positive conviction was left upon my mind that you would vote against a Bank, *and so said to Mr. Botts when we left your room.* I do remember that you said that, if it became your duty as president of the Senate to decide the question, that you would re-examine it without prejudice from former opinions or *present party associations.* I immediately called upon Col. Preston, and communicated to him all that had passed between you and myself, and told him that if he intended to vote for a Bank, that I thought he ought to consider very deliberately whether, in such a state of things, it would be proper for him to leave the Senate. He immediately, as I was informed, authorized a friend to say to General Harrison that he begged a place in the cabinet might not be offered him.

On my return from Washington, and after the death of General Harrison, and when it was a matter of general speculation what course you would take on the Bank question, in all my conversations with my friends, I told them of this conversation, and expressed the opinion that you would not sanction an act establishing a Bank *without important modifications*, which I sincerely hoped would be conceded by the Whig party.

I am, dear sir, with sincere respect and esteem, your friend and obedient servant,

WADDY THOMPSON.

Five days after the death of Harrison, Mr. Tyler published an address to the people of the United States, in which he briefly set

out the principles which would guide him in the conduct of the government. As to foreign nations, the groundwork of his policy should be "justice on our part to all,—submitting to injustice from none." He recommended the passage of a law restraining the removing power, and for himself avowed that he would remove no officer except for neglect of duty or official misconduct. In the public expenditures a system of rigid economy should be pursued. On the important subject of the currency, he said that he would give his sanction to any "*constitutional measure*," originating with Congress, which should have for its object the restoration of a sound circulating medium. "In deciding," said he, "upon the adaptation of any such measure to the end proposed, as well as its conformity to the Constitution, *I shall resort to the fathers of the great Republican school for advice and instruction, to be drawn from their sage views of our system of government, and the light of their ever glorious example.*"

Mr. Tyler gave the Whigs the very best proofs of his anxiety to harmonize with them. He retained about him a cabinet which was not altogether agreeable to him, and acquiesced in the call that had gone out for an extra-session; but from the start he plainly gave the Whigs to understand publicly that he would approve no fiscal agent which violated his constitutional objections and did not come up to the true orthodox Democratic character.¹

¹ Benton, in his "Thirty Years' View," ii., p. 211, commenting upon this address, distorts it, with a vengeance, into a full encouragement to the Whigs to pursue their design of a national bank. With the most shameless effrontery, he converts the "fathers of the great Republican school" into "fathers of the Republic," and makes Mr. Tyler look alone to the example of Washington in his approval of the first Bank of the United States. In another place he pounces upon a sentence which speaks of the "errors and abuses of the government" which his (Mr. Tyler's) predecessor had been elected "to correct and reform," and the correction and reformation of which now devolved upon himself. Had Benton looked to the address of Jackson on his first inauguration, he would have found his favorite making the same imputed "flings" at his predecessor as Mr. Tyler is censured for doing at Mr. Van Buren. "The separation of the purse and the sword," which Mr. Tyler recommended in another place, met also the displeasure of the critical Missourian. The language was denounced as being "the mere slang of the presidential canvas," whereas, in fact, it was expressive of one of the great principles upon which the election had been decided in favor of the Whigs. It would amuse the reader to turn to Benton's speech in 1841, defending the President for vetoing a national bank, and find him employing language like the following:

How clearly Mr. Tyler's mind was made up as to his future

"There lives not a man on earth so long and so deeply committed against a national bank as Mr. Tyler, —not even General Jackson or Thomas H. Benton. Mr. Tyler began the war before I was in the Senate, and before General Jackson was president. He voted for the judicial process to annul the charter in 1819; he supported the veto in 1832," etc., etc. (*Congr. Globe*, 1841, Append., p. 200.)

The chapter noted is a fair sample of Benton's whole cumbrous work. Benton was one of those anomalies of the human race that seemed never to know the distinction between truth and falsehood. Wherever and whenever it suits his purpose, he deliberately misrepresents and falsifies, and does it with a *gusto*, as if he believed his own fabrications. Parton says that, in writing Jackson's life, he soon ceased to believe anything Benton or Jackson might have uttered, unless their story was supported by other evidence or by strong plausibility. It is in the nature of these fiery spirits, he remarks, "to forget what they wished had never occurred, and to remember vividly the occurrences which flatter their ruling passion, and unconsciously to magnify their own part in the events of the past." (*Parton's Jackson*, i., p. 396.)

Mr. Tyler, it seems, thought very much as Parton does. The following is a letter written to his son after the appearance of Benton's work:

[TO ROBERT TYLER.]

SHERWOOD FOREST, June 3, 1858.

DEAR ROBERT: Your letter of the 27th May is before me, enclosing the article from the *Herald* on Col. Benton's opinions of the administration.

Of what consequence his opinions may be to his blood relations I know not, but they undoubtedly have no influence over the public mind. I do not believe that any man who had played a prominent part in the politics of his own times ever had less of the public sympathy in life or was less lamented in death. He seems to have left the world under the belief that his works, viz: "Thirty Years in the Senate," etc., were to survive him through long years, but I believe they will almost accompany him to the grave, and be buried and forgotten with him. I have never read them. He was so prolix, and at the same time unreliable, from his excessive egotism and ill-regulated antipathies, that I would as soon undertake a journey through the Dismal Swamp as to wade through his ponderous folios. A friend, two summers ago, called my attention to his second volume of the "Thirty Years." I turned over the leaves, and finding that while he had given to the administrations of Van Buren, Polk, Taylor and Fillmore a mere passing notice, he had devoted to my times more than the half of his ponderous volume, I closed the book without reading it, and returned it to my friend with the expression, "I see that the Colonel has paid me a very high compliment in giving me so large a space in his book, but I have neither leisure nor inclination to read it." He doubtless aspired to the presidential succession after Mr. Van Buren, and when the Democratic convention of 1844 ruled Mr. Van Buren off, because of his having thrown himself on the drawn sword of the administration on the Texas question, Col. Benton shared the same fate.

I am glad that your family is blessed with health. You represent yourself as unwell. Take a dose of calomel and lie by for a day, and all will be well. I have a great desire to see your boy. My health is improving, but I have still many

course the following letter to Mr. Rives, written on the day of the publication of his address, sufficiently indicates:¹

[To WILLIAM C. RIVES.]

WASHINGTON, *April 9, 1841.*

MY DEAR SIR: You have my most sincere thanks for your very acceptable letter of the 6th inst., which reached me last night. The death of our late patriotic president, while it has devolved upon me the high office of President of the United States, has occasioned me the deepest pain and anxiety. Apart from my apprehension of my want of the necessary qualification for the discharge of the important functions of chief magistrate, even under the most favorable circumstances, I am under Providence made the instrument of a new test which is for the first time to be applied to our institutions. The experiment is to be made at the moment when the country is agitated by conflicting views of public policy, and when the spirit of faction is most likely to exist. Under these circumstances, the devolvement upon me of this high office is peculiarly embarrassing. In the administration of the government, I shall act upon the principles which I have all along espoused, and which you and myself have derived from the teachings of Jefferson and Madison, and other of our distinguished countrymen, and my reliance will be placed on the virtue and intelligence of the people. From yourself, my dear sir, I shall always be gratified to receive suggestions, and to be afforded an opportunity of profiting by your views.

Your recommendation in favor of Mr. Beazley will have with me much influence in retaining him. Be pleased to tender my most respectful salutations to Mrs. Rives, and to accept for yourself assurances of my regard.

JOHN TYLER.

What the President said in this letter "about acting on the principles which he had all along espoused," and which "he and Rives had derived from the teachings of Jefferson and Madison," was only a repetition of what he had said in the canvass, and now expressed to the people in his published address. He and Rives had always been opposed to a Bank, and the teachings of the orthodox Republican school had been uniformly understood as opposed to one also.

And, indeed, it was no mystery to the country as to what the accession of Mr. Tyler foreboded. With one loud chorus the Democratic papers proclaimed the President as opposed to a Bank, while the Whig newspapers, knowing the fact quite as well, took a position on the fence, from which they might jump either way,

aches and pains, the result of last winter's sickness. Being without an overseer, I have of necessity to pursue an active course of life, so far as I am able. All the rest are well. With love to all.

Your father,

JOHN TYLER.

¹ I am indebted to Mr. William C. Rives, Jr., for a copy of this letter.

according to the commands of the party leaders,—dealing in generalities of praise to Mr. Tyler, and expressing entire confidence in his purposes and future policy. If the leaders thought proper to avoid the Bank issue, the papers would thus be entirely free to follow the same tack, while, if the programme of the Bank was still to be pursued, the previous applause would serve as a proof that Mr. Tyler had disappointed honest expectations.¹

Appalling enough to the Bank conspirators must have been the accession of Mr. Tyler! The “incomparable sweetness” that Mrs. Royall described as hanging upon his face,² was only matched by a soul that took no account of danger. The grace and snavity of manner that excited the admiration of Charles Dickens,³ were

¹ The Richmond *Whig*—afterwards one of the most decided papers against the President—in this state of uncertainty, while rebuking the hostility already manifest against Mr. Tyler, thus amusingly gave the party away in its editorial, April 30, 1841:

“In the first place, nineteen States, and an electoral majority of one hundred and seventy-four, the largest known to our history, have installed the existing administration. Was no deference due to the voice of so immense a majority of our countrymen—no respect to the decision of nineteen States? Nay, was nothing due to the old reputation of Virginia for steadiness, principle and integrity? Must she, of all others, set the example of rushing into faction—opposing an administration before it was formed—an administration headed by her own son—and arraying herself against it before its policy was developed? It is vain to say that the apprehension of a Bank, to which Virginia is opposed, justifies this premature hostility. *It is not certain that the administration will approve a Bank.*

“John Tyler has been true through life to her doctrines; the leaders of the other party, one and all, whatever they now profess, have been false and faithless whenever the opportunity presented. We challenge the records! As it respects Van Buren, Benton, Buchanan, Calhoun, and all of them—we affirm that they have been false and faithless all, as to every Virginia doctrine—while John Tyler has never abandoned one of them, in a public career running now through five and twenty years!

“How absurd then, how factious, how unworthy of her better days, is the conduct of Virginia, if she means at this time to array herself against the administration!”

“Senator Tyler of Virginia is a fine-looking man. He is very fair, with a high retreating forehead, Roman nose, and features of the best Grecian model. His eye is pearly blue, and his countenance is one of incomparable sweetness.” (Anne Royall’s *Letters from Alabama*, page 178.)

“We had not waited in this room many minutes before the black messenger returned and conducted us into another, and of smaller dimensions, where, at a business-like table covered with papers, sat the President himself. He looked somewhat worn and anxious, and well he might, being at war with everybody; but the expression of his face was mild and pleasant, and his manner was remarkably unaffected, gentlemanly and agreeable. I thought that in his whole carriage and demeanor he became his station singularly well.” (Charles Dickens, *American Notes*.)

set off in his treatment of men by a firmness of purpose, equally removed from weakness and stubbornness. What could these base panders to temporizing expediency hope to gain from John Tyler? Had his whole life passed for nothing? Was there not a terrible warning to be drawn from his position in the Missouri controversy twenty years before, in his election over Randolph, in his opposition to Jackson, in his single vote on the Force Bill, and his refusal during twenty-eight years to be the partisan of any man on earth?¹ Was there not even a wiser lesson to be read in that simple-hearted honesty, the poet's stamp of "the noblest work of God"—an honesty so strictly observed even in the most trivial concerns of life,² that it had become identified with his name—"Honest John Tyler."

More appalling than to any other Whig his accession must have been to Henry Clay. Dr. Frank Mallory, at the late session under Van Buren, had protested against the extra-session, "as a president-making session which would open the campaign for the succession."³ He mentioned no name, but the whole House understood the allusion to the "ambitious politician" whose views the "regency clique" were attempting to pass off for those of General Harrison. Clay's game was to commit the party from the first to a national bank, so that he, as the great exponent of the doctrine, might immediately exclude all competitors, and thus secure the presidency in 1844. Harrison was pledged to a single term, and hence there was nothing to fear from him. But how changed ap-

¹ On the celebration in Williamsburg, in 1840, of the Fourth of July, the following toast was given in Mr. Tyler's honor: "John Tyler. Virginia has many sons of whom she is proud. Can we not excuse our beloved State for calling him her favorite?" Mr. Tyler, in reply, said that "it would be difficult to excuse even his friends and neighbors for avowing that he was the *favorite* son of Virginia; that he had been a *favoured* son, he readily and most promptly admitted. He looked nowhere else for reward except to the people of his native State, although he had served in connection with the administrations of four presidents—Madison, Monroe, Adams, and Jackson; he repeated what he elsewhere had said, that he had never been in any way an applicant for any of the crumbs which daily fell from the executive table; and yet it must have been an unreasonable request that would not have been granted him by the two first named, with whom his father had been associated in stations of the greatest interest and importance." (*Richmond Whig*, July 10, 1840.)

² See his letter to Mary Tyler, refusing to frank a letter for his nephew, John Waggaman. (Vol. i., p. 553.)

³ *Congr. Globe*, 1839 '40, Append., p. 303.

peared the skies when John Tyler assumed the reins of government!

A result even more startling than that which prompted his efforts to defeat Mr. Tyler, as vice-president, in 1836, now confronted Clay. If then he feared the effect of the incongruous appearance of a Democratic president and a Whig vice-president, the fact of Mr. Tyler's being the first vice-president to succeed to the presidency was even of more startling import. The single term principle did not apply to him, since he had not been directly elected to the first office. Clay ran mad with jealousy, and taking the cast of the President's motives from his own, resolved to press on his measures regardless of consequences. His forces were now consolidated. With the exception of a few independent minds like Wise, Rives, Mallory, Proffit, Irwin, Gilmer and Cushing, all the recalcitrant members had been whipped by the caucus scourge into due submission, and the waters of Federalism had already gathered before Harrison's death into an eager and impetuous flood, which threatened to sweep all things before it. "To drive Tyler before him," or to separate him from his party, and thus exclude him from the succession, became the single animating thought with Clay.¹

Of the alternatives Clay had reason to believe that the second was alone practicable. And what a marvelous confession he made of this in his speech on the Fiscal Bank veto when he spoke of his twenty years *intimate* friendship with the President, during thirteen years of which they never voted together on a single question of principle. What a handsome tribute, too, to the polished and captivating manners of the Virginian that represented him as leading with a silken cord, and without compromise of position, a man like Clay, of so violent a temper that his own confidants talked seriously of "caging" him. Truly the

¹ What the fears of Clay and his friends in the cabinet were, the following extract from the Memoirs of Adams aptly exhibits:

"April 20, 1841. In my conversation with Mr. Bell, last evening, I had reason to conclude that the policy of Mr. Tyler will look exclusively to his own election for the next four years, and that of Webster will be to secure it for him; that Mr. Clay will be left to fight his own battles with the Land Bill, without aid or support from the administration, and that between Tyler and Webster there will be a concert of mutual concession between North and South. Clay will soon be in unequivocal opposition." . . . (*Memoirs*, x., p. 108.)

President had "used the world," but equally true he had never "abused it."¹ "God bless him in his rest!" cries an old friend; "he was the most charming man in conversation, and the most bewitching in his hospitality and winning in his eloquence that I ever had the good fortune to meet."²

But how much the conspirators were in error regarding the motives of the President, the reader himself can decide from a plain statement of fact. John Tyler was an ambitious man, but his ambition was of that honest kind that asks itself, before every act, "is it right? is it proper? is it becoming?"³ Step by step, with kind and scrupulous regard for his fellow man, he had passed from the lowest to next to the highest station in the world. Each step of his progress was marked by a letter from a man who had felt his steel, congratulating him on his fortunes, and reminding him of a prediction made as far back as 1820.⁴ And there was an inward consciousness of worth,—nothing akin to vanity or egotism,—which supported him in his darkest political hour; when banished from the public councils his eyes still penetrated into fields of wide renown.⁵ Seventeen years younger than Harrison, what was there to prevent him, had the latter not died, from winning the first office, by election, from the people ere the snows of sixty-eight years descended upon him? True, he had not a military hero's tinsel recommendations—brass and buttons—and his State-rights views made it even now the highest praise to attain even the second office in a government where the majority were Federalists.⁶ Men looked to merit and principle in filling that office, to availability in filling the first.

The rule of honor by which Mr. Tyler had guided his whole life was now applied to the currency question on his arrival in Washington. The good of the country was the first consideration; and what had that good to do with who should be President four

¹ See Vol. i., p. 534, Letter to Robert Tyler.

² Letter of John S. Cunningham, see Vol. i., p. 544, note.

³ *Ibid.*, p. 550.

⁴ *Ibid.*, p. 334. Letter to Col. John Rutherford.

⁵ *Ibid.*, p. 534. Letter to Robert Tyler.

⁶ "In regard to your own affairs, I wish you all *success*. But I fear it will be too good *luck* for us to get the second officer of the government,—a man of your politics." (Gen. William F. Gordon to Mr. Tyler, January 14, 1836, Vol. i., p. 529.)

years hence? Even in January, 1841, before Harrison's death, Mr. Tyler had written to Mr. Gilmer that the question of the succession should be avoided as much as possible. Full of this belief, and perceiving immediately the jealousies at work against him in the cabinet, he inserted in his inaugural address a sentence committing himself against appearing as a candidate for the presidency in 1844. "If I can settle the question of the currency," he thought, "and accomplish an harmonious administration of the government, my ambition will be satisfied." How he was induced to waive the declaration at this time, General Duff Green informs us in a letter written to Mr. Upshur, and published in the *Medisonian's* Defence of Mr. Tyler against the baseless charges of Botts:

[GREEN TO UPSHUR.]

WASHINGTON, *December 29, 1842.*

STR: Mr. Ewing, in his letter to Mr. Crittenden, speaking of what transpired between himself and the President, on the subject of the veto message, says:

"He (the President) said, in substance, that he should probably be compelled to veto the bill, and he thought to accompany the veto message with a solemn declaration, that he would not be a candidate for re-election, and wished our advice as to the matter. In the course of the conversation, he also said he had indited a sentence intended for insertion in his inaugural, expressly declaring that he would not be a candidate for re-election, which he withheld, lest its effect would be to turn the batteries of Mr. Clay and his friends on Mr. Webster. Mr. Webster having replied and objected to the declaration made by the President, I said that I hoped he would not feel himself compelled to veto the bill; but if he did, I did not think it advisable to accompany the veto with the proposed declaration, as there appeared no connection between the two subjects, and I did not think such a declaration would have any tendency to reconcile the people to the veto." Mr. Ewing adds: "My advice, therefore, was seriously given in good faith, though I did not for a moment believe his proposition was so, no more than I believed, as a fact, his statement that he had penned such a declaration for insertion in his inaugural, but withheld it lest it should turn the batteries of Mr. Clay and his friends against Mr. Webster. His suggestions seemed to me to convey the idea that the Whigs, the cabinet included, cared little about measures, if we could clear the way for the succession."

Mr. Ewing's statement makes it proper that I should place upon record the following facts, which are communicated to you, that they may be used, if it be deemed expedient in vindication of the President's motives, and establishing his consistency in vetoing the Bank bill.

I was in Annapolis when I heard of Gen. Harrison's death, and there heard that an effort would be made to induce the President to commit himself not

to be a candidate in 1844. I had been, for many years, his personal and political friend, and determined, if possible, to prevent his doing so, and immediately came to Washington for that purpose. I called on him early in the morning of the day after his arrival, and found him writing his inaugural. I told him what I had heard and the purpose of my visit.

He said that he had conversed with some friends, who advised him to declare in his inaugural that he would not be a candidate, and he showed me a paragraph to that effect, which he had just written, saying, that his desire was, if possible, to withdraw the question of the currency from the vortex of party, and that he had been persuaded that such a declaration would conciliate the co-operation of the several aspirants.

I told him that I was deeply interested and extremely desirous to obtain an early and satisfactory adjustment of the currency, and that it was because I apprehended that the effect of such a declaration would be precisely the reverse of what he anticipated, that I was opposed to his making it.

I urged that, so far from giving strength to his administration, and enabling him to accomplish the measure he so much desired, it would be taken as a plea of weakness—that it would be the signal for the organization of parties in reference to the next election,—that one party would rally for a national bank and the other against it,—and that, as he was alike opposed to the Bank on one side and the sub-treasury on the other, and had made up his opinion that Congress had no power to incorporate an old-fashioned Bank, that he might expect to be compelled to veto the Bank bill; because the political leaders on both sides were regardless of the public interest, and would, if possible, keep the Bank question open for the purpose of political agitation,—that in that event a state of things might arise which would make it indispensable that he should become a candidate.

I urged that the one term principle did not apply to him, as he had not been elected President, and that if it were otherwise, the question of the succession was not before him, and it was due to himself and to the country that he should reserve himself until he was called upon to express an opinion,—that the declaration, if then made, might impair his influence,—that, failing to conciliate the support of both parties, it would certainly alienate both, unless he himself became the partisan of one of the political aspirants, the effects of which would be to test his administration by the popularity of one of the candidates instead of placing it on its own merits. He replied that he had the subject under consideration,—that he was aware of the factious tendency of existing party arrangements, and that the question was whether such a declaration then made would enable him to *settle the question of the currency, and accomplish an harmonious administration of the government.* His words were: "If I can do this, my ambition will be satisfied." He said that there was much force in the suggestions I had made,—that he would reflect on them, and asked me to call again. I did call the next day, when I found him transcribing the inaugural. *He pointed to the paragraph in question, and I saw that he had crossed it with his pen.* These are the facts. I give them without comment. You can use them as you think proper.

Your obedient servant,

DUFF GREEN.

That the elision of the sentence in the inaugural, pledging Mr. Tyler against a candidacy in 1844, was made in good faith, his subsequent course on the veto of the second Bank bill—to which allusion is made in the letter above—demonstrates. The withdrawal of Mr. Tyler from the field would not have withdrawn either Mr. Clay or Mr. Webster, and the fact is certain that they preferred that he should remain, lest the one or the other might gain an advantage. The history of Mr. Tyler's course on this point, at the time of the second veto message, is thus given by Mr. Tyler himself, and corroborated by Mr. Webster, and is conclusive as to the honesty of his intentions, as much as it is damning of the satellites of Clay in the cabinet:

[STATEMENT OF PRESIDENT TYLER.]¹

In the public controversies which have grown out of the exercise of the veto power at the last session of Congress, the President of the United States has entirely forbore from taking any personal part. Reasons, connected with the office which he holds, and the character which he wishes to maintain before the country, have restrained him from any such interference. Nor does he now consider it to be becoming in him to enter personally into a course of explanations, counter-statements, or contradictions, with any of those gentlemen who have addressed the public or published statements relative to those occurrences.

It is not to be supposed, however, that he should see, without pain, imputations of the grossest motives made against him, in regard to the exercise of his constitutional power in negating the two bills for creating a Bank, or Fiscal Agency. Placing a high value on whatever degree of respect and confidence he may have obtained in the course of public life, now not a short one, he trusts that he may at least be regarded by his countrymen as having acted on the occasion referred to with honest purposes and from conscientious convictions; and it has been supposed that the statement of one fact, incapable of denial or doubt, might be a sufficient answer to the unjust and injurious imputations which have been so unsparingly heaped upon him; and that is, that when about to send the last veto message to Congress, he asked the members of his then existing cabinet to give him their frank opinions, whether it would be productive of peace, harmony, and the public good if he should make known at the same time *that he would not be a candidate for election to the presidency*—saying that he was acting only as his honest convictions and long-cherished opinions compelled him to act; that he was most deeply concerned and anxious to fulfil the wishes and expectations of his friends to the utmost of his power; and that no considerations personal to himself, except those of honor and conscience, should stand in the way of any sacrifice which he might be called on to make—that no

¹ Published in the *Madisonian*, June 7, 1843.

love of office, and no impulse of ambition, did or could actuate him in the performance of what he thought so imperative a duty; and that he was willing and ready to adopt the measure which he had suggested, if so advised. Although not concurring, as is well known, in the veto messages, yet all the members present concurred decidedly in opinion against any measure like that which the President had mentioned. They observed that nobody had a right to call on him for any such declaration; that he had come into the presidency by succession, and had a right to stand before the people, for their future favor on his merits, like any other citizen; and that such proof of the sincerity and honesty of his purpose could not be necessary, as the people would judge, after all, of the motives of his conduct by other considerations; and, finally, that a step of that kind was, in their opinion, quite as likely to create new embarrassments as to afford new facilities in carrying on the government. It is not recollected that all the heads of departments were present at this conversation. It is believed that Mr. Crittenden was not present, and it is doubted whether Mr. Badger was. But Mr. Webster, Mr. Ewing, Mr. Bell and Mr. Granger were present, and cannot fail to remember the communication as above stated.

June 9, 1842.

I remember perfectly well the conversation above mentioned between the President and the members of the cabinet, and it is accurately stated.

(Signed)

DANIEL WEBSTER.

Notwithstanding this evidence, it has been a favorite game with the enemies of Mr. Tyler to describe him as eaten up with a morbid ambition for the presidency in 1844! The man who had admittedly never been a partisan, had never intrigued for office, or asked favors of any administration, who had alike defied Adams, Jackson and Van Buren in the maintenance of his principles, was now suddenly converted into a being who was as much unlike John Tyler of the past as his traducers in the present were like what *they* had always been,—the base panderers to temporizing expediency, and the employers of every dirty weapon to turn truth into a mockery and the facts of history into the most odious and hateful lie!

In the contest in 1840 the State banks had been arrayed on the side of the Whigs, as against the Independent Treasury and the Democrats.¹ The old United States Bank's charter had expired

¹ The prominent characteristic of Mr. Van Buren's administration was said to be the completion of the "divorce" of the government from banks of all kinds. Hence all the State banks were arrayed against the administration. The old nationals, therefore, hid their zeal for a national bank under a defence of the State institutions. "Some gentlemen," said Shepard, of North Carolina, at the session of 1839 '40, "have been seized with a wonderful regard for the institu-

four years before, and though the Bank directors had afterwards obtained a charter from the State of Pennsylvania, its three separate failures,—in 1837, in 1839, and in February, 1841,—of which the last resulted in its entire ruination, to say nothing of the notorious corruption by which its charter was obtained from the State Legislature, and its consequent unpopularity with the people, who could not readily distinguish between the United States Bank and the United States Bank of Pennsylvania, were calculated to induce any statesman, whatever his old predilections in favor of its *expediency* as a government fiscal agent, to look to the State bank system as the proper substitute for the Independent Treasury.

Mr. Tyler's views were now against the Bank on both grounds of expediency and constitutionality, though, to gratify the Whigs, he was willing to waive the former, provided they could obviate the latter objection. He was primarily in favor of the State banks under the regulation of a central board,—an idea afterwards developed by him into the exchequer system, recommended to Congress at the session of 1841-'2, and which now was satisfied in certain respects by a project devised by his friend Judge Tucker, of Williamsburg, Professor of Law in William and Mary.¹ Tucker's

tions of the States; lips which have poured forth scorn and derision upon the doctrine of State-rights, have lately used most honeyed phrases, and invoked the South to interfere and reject a measure that will destroy their local banks. Sir, the real object of this pretended sympathy is to play on the feelings of honorable members, and use them to advance a measure condemned by our constituents and utterly repugnant to their interests; the hope is to destroy this bill (for the Independent Treasury) and establish a great national bank, which is so friendly to the States and so little hostile to their own corporations!" (*Congr. Globe*, 1840, Append., p. 610.)

¹ Judge Tucker's project began with the following preamble, indicative of its character:

"Whereas, by the Constitution of the United States, the said States are restrained from entering into any compact with each other without the consent of the Congress of the United States, and whereas it is by many thought desirable that a compact should be formed between the States for the purpose of effecting certain great objects, not supposed to be within the constitutional competency of Congress, therefore, 1, That the consent and approbation of Congress be, and the same is hereby given, to a compact between the States, under the qualifications and conditions hereafter expressed, which is to the effect following: A compact between the States of New Hampshire, Vermont, etc., for raising, by loan or otherwise, a sum of money," etc.

Regarding this project of Tucker's, Wise wrote as follows:

project created a *national bank* founded upon the authority, contract, means and credit of the States, directed by them and responsible to them. This scheme for a fiscal agent he had submitted to Clay and Harrison, prior to Mr. Tyler's accession. Clay's reply to Tucker is preserved among Judge Tucker's papers at Williamsburg. In making transcripts from the important letters I found there, I was limited by considerations of time and the size of my work. Clay's letter of reply was of great length, and I, therefore, merely copied the commencement and conclusion of it, contenting myself with taking down the general purport of the residue. As it is, however, I cannot fail to give the substance of its contents. Clay objected to Tucker's project on the ground that "it raised an authority apart from, and yet co-ordinate with the Constitution, and independent of Congress." He pressed the necessity of a national bank by his old arguments, and then, turning to the policy to be pursued by the Whigs, *he laid down the very programme resolutions introduced by him in the Senate on the 7th of June, 1841*, in which "an old-fashioned" national bank was made the all-important feature.

As far as transcribed by me, the letter ran as follows:

[HENRY CLAY TO N. BEVERLEY TUCKER.]

ASHLAND, April 15, '41.

MY DEAR SIR: I received to-day your favor of the 3d. I observe from the P. S. that intelligence of the death of General Harrison has reached you. We are in a painful state of uncertainty as to the effect upon the policy of the government. I can hardly suppose that V. P. Tyler will interpose any obstacle to the adoption of measures on which the Whigs are generally united. Still, his administration will be in the nature of a regency, and regencies are very apt to engender faction, intrigue, etc.

[Here followed the rejection of the Tucker plan, a long argument in favor of a national bank, and finally the programme resolutions moved at the extra session.]

I have not had time to dwell on other features of the Bank. *The objection to its constitutionality is now confined to Virginia. Ought not our friends there yield to Mr. Madison's view of that question!* H. CLAY.

May 5, 1841.

"But the great principle first applied by you of creating a *national bank* upon the suggestions and consent of Congress, or the consent of Congress prescribed to the States compact, through the Constitution, as they did the national government itself, founded upon *their* authority, *their* contract, *their* means and credit, and directed by *them* and responsible to them, is *new*, as well as what Dew says, a 'magnificent scheme,' and well deserving the most serious consideration."

It is demonstrated by this letter that Clay not only intended from the first to press the issue of a Bank, but that he anticipated the very resistance from President Tyler that he afterwards experienced. It is demonstrated, moreover, that what Clay afterwards said on the first Bank veto, that "he came to Washington at the commencement of the session with the most confident and buoyant hopes that the Whigs would be able to carry all their prominent measures, and *especially a Bank of the United States*, by far that one of greatest immediate importance," and that "he anticipated nothing but cordial co-operation between the two departments of government," was absolutely untrue.

It is a fact, sad, but indisputable, that in political combinations the good feelings of one man are made to pander to the vilest inclinations of another, till one universal level is attained of crime and hypocrisy. Thus, to the innocent reader, it may seem strange that men lifted high in authority, like Clay and Ewing, would stoop to deal in intrigues and misrepresentations; but to those who wish to learn on the subject, Roman history, old-fashioned as it is to refer to such authority, affords an interesting and instructive lesson in one of the incidents connected with the triumvirate of Anthony, Lepidus, and Octavian. To gratify the debased desires of the other two, each successively delivered up to proscription a near and dear relation or friend. They framed a list of all men's names, whose deaths would be regarded as advantageous to any of the three, and on this list each in turn pricked a name. The proceedings of Anthony at Rome had made him many personal enemies, and he cherished a bitter resentment towards Cicero because of the philippics he had fulminated against him. Anthony, therefore, demanded the life of Cicero, and Octavian gave him up, and took as an equivalent for his late friend the life of L. Cæsar, uncle of Anthony. Lepidus kept pace with the other two, and for a similar favor surrendered his brother, Paullus. So the work went on. The names of three hundred senators and two thousand knights reddened the list.

President Tyler, with exaggerated care, kept his hands and his conscience clear of intrigue and every contemptible machination. How different in tone from Clay's is his reply to Tucker, who wrote to him on the same subject, in a letter dated the 11th of April. How earnestly and honestly he expresses himself in favor of har-

mony with his party, and yet how plainly he intimates his resolve to stand by the Constitution of the land, as he understood it, while there was a plank left to stand upon, and until the skies should fall.

[TO JUDGE TUCKER.]

(*Private.*)

WASHINGTON, *April 25, 1841.*

MY DEAR SIR: I thank you most sincerely for your letter of the 11th of April, which the extreme pressure of business has prevented me from acknowledging sooner. You are well aware of the suddenness with which I have been precipitated on the discharge of the high responsibilities of this station. Withdrawn so unexpectedly from the circle of my own personal friends, whose counsel was never more required, I had but to follow the light of my own judgment, and the promptings of my own feelings. So far things go on smoothly, and but for the currency question the course would be tranquil. "There lies the rub." I have had too often to deplore the absence of a conciliatory spirit among the members of the Whig party, and my fear now is that nothing short of a National Bank, similar in all its features to that which has recently passed out of existence, will meet the views of the prominent men of the Whig party. For myself I have long entertained the opinion that all that was wanting in order to have a complete system through the action of the States, was a central board. The organization of that board has been the great difficulty with me. Your plan opens the subject in a strong point of view, and I have read it with the deepest interest. I shall continue to ponder it over, and to add to my own reflection the aid to be derived from that of others. The subject in any form should be approached with caution. No new effort in that direction will fail to be encountered by recently created prejudices produced by the disastrous failure of the United States Bank, as Biddle foolishly had it baptized, which, added to pre-existing objections, would render the experiment every way hazardous. Coming so recently into power, and having no benefit of previous consultation with Gen. Harrison as to the extra-session, the country will not expect at my hands any matured measure, and my present intention is to devolve the whole subject on Congress, with a reservation of my constitutional powers to *veto* should the same be necessary in my view of the subject.

In regard to our friend Upshur, you cannot have a more exalted opinion of his abilities than myself. I doubt not his fitness for anything. Upon Stevenson's return, however, which will most probably not be for some months, I find urgent claimants, whose pretensions have been submitted to the late President, and by him favorably considered. Hopes and expectations have thus been excited which it might not be prudent to disappoint. The Judge will often be present to me.

It will afford me pleasure at all times to hear from you, and I pray you accept assurances of my sincere regard.

JOHN TYLER.

Judge Tucker's plan seemed to the President, on reflection, to be so happy a solution of the constitutional difficulty, that he de-

terminated to recommend it to the leading Whigs in Congress; and accordingly, three weeks later, we find him writing to Tucker to carry the plan, of which he had given but the outline, into detail, with the aid of Wise, Preston, and Upshur.

[THE PRESIDENT TO TUCKER.]

WASHINGTON, *May 9, 1841.*

MY DEAR SIR: Wise left me yesterday, after having conversed freely and fully upon the subject of your suggestion as to a financial system, and I write now to say, that the more my mind dwells upon it, the more I am pleased with it. It would, if adopted, leave the question open for each State; Virginia would have her difficulties at first, but Massachusetts, New York, Pennsylvania, Maryland, Louisiana, Ohio, and Kentucky, would at once adopt, and with branches at Boston, New York, Philadelphia, Baltimore, New Orleans, Louisville, and Cincinnati, to say nothing of other States and ports, the great results might be achieved which are so ardently coveted. All the States would sooner or later fall in. I write now to request that, in connection with Wise, Preston, and our able friend Upshur, you will at once carry it into detail.

The extra-session is approaching so rapidly as to leave me no time to write a long letter.

Believe me always to be your friend and servant,

JOHN TYLER.

But the President met with no encouragement from the members of his cabinet, or the other Whig leaders to whom he submitted the project of Tucker. It was found too bold and new for even those nationals like Webster, who from jealousy of Clay were the more inclined to go with him. Finally, the President fell back on the old plan of Judge White, which, surrendering, no more than Tucker's did, the constitutional objection, was more familiar to the public mind, and enabled the main bank or agency to be established in the District of Columbia by an emanation of the power of Congress alone.

To this new scheme the majority of the Cabinet yielded a reluctant concurrence,—Webster a hearty one. But this very circumstance made it all the more objectionable to Clay. In an interview between him and the President at the opening of the extra-session, the latter urged the scheme of White in the strongest manner upon his adoption. Clay remained stubborn, and to the last refused his acquiescence. Then the President took fire and exclaimed: "Then, sir, I wish you to understand this—that you and I were born in the same district; that we have fed upon the same food, and have breathed the same natal air. Go

you now, then, Mr. Clay, to your end of the avenue, where stands the Capitol, and there perform your duty to the country as you shall think proper. So help me God, I shall do mine at this end of it as I shall think proper."

The President and the party leader separated on this, and no words, either written or spoken, ever again passed between them. With blackest ingratitude and utter disregard of consequences Clay deserted his friend, who had powerfully supported him at Harrisburg, and sought the embraces of the anti-Masons like Seward, who had exhausted every intrigue and dishonest machination to ensure his defeat.

The following letter of Mr. Wise is entirely conclusive as to the desperation of Mr. Clay :

[WISE TO TUCKER.]

WASHINGTON, May 29, 1841.

MY DEAR SIR: Your plan in detail reached me in Accomac; your letter of May 14th not until last night, after having gone to Accomac C. H. I got here on Tuesday evening. I have barely seen Tyler as yet, and am to dine with him privately to-day. I will tell you of the results of our interview as soon as I can find a leisure moment.

The prospect with Clay is even worse than I had imagined. He is bent upon centralism, and I shall leave him to be borne down, as he must be, by its accumulated power and weight of self-destruction. He gave me an audience day before yesterday. An increase of tariff *for the purpose of distribution*, with the avowed reason of relieving the States from public debt, and the hint that *slaves* might not be counted in the apportionment of our Southern share—though *he* was for that boon to us—a national bank with a charter from Congress and a location in Wall street; a funded debt, of course, and a denial of appropriations to fortifications to eke out his distribution scheme. These are his cardinals, and he is their pope. I told him we differed in toto; he replied, "I never give up." "I know it," said I. "Wise, I have defended you." "Mr. Clay, I have defended you to an extent that I shall never need defence. You were paid in advance, and we must join issue." And thus we parted. Clay and Webster are now openly hostile. The former is ready to quarrel with the latter, and will seek occasion to do so. If the opposition is half politic and wise, it will wage no foreign war—no war from without; let the factions devour each other, and let the Republicanism left among us thrive by the contest. Tyler has only to be temperate and firmly neutral between them, and the opposition only to be indulgent a little towards him, and the problem of power will solve itself. . . . Enclosed is a letter from my young friend White. That boy must be made worthy of his father. His father was to me as a father, and that boy was as the apple of his eye. Heaven is looking to you for his training; for his father is in heaven.

Yours truly,

HENRY A. WISE.

Two days after this letter of Wise, the extra-session, convened by Harrison at the instance of Clay, began; and on the 2d of June, Ewing, the Secretary of the Treasury, recommended to Congress a *bank*, "but one so conceived in *principle*, and guarded in its details as to *remove all scruples touching the question of constitutional power*." And in the light of this report, how strong and clear seem the words of the President's own message, when, alluding to the subject of the currency, he spoke of the condemnation by the people of all the fiscal agents which had been hitherto attempted,—national bank, "pet banks," and Independent Treasury. No other scheme of finance, said the President, seems to have been concurred in. The representatives of the nation were best qualified to say what now should be done:

[EXTRACT FROM THE PRESIDENT'S MESSAGE AT THE EXTRA SESSION IN 1841.]

In intimate connection with the question of revenue is that which makes provision for a suitable fiscal agent capable of adding increased facilities in the collection and disbursement of the public revenues, rendering more secure their custody, and consulting a true economy in the great, multiplied, and delicate operations of the treasury department. . . . Within a few years past three different schemes have been before the country. The charter of the Bank of the United States expired by its own limitations in 1836. An effort was made to renew it, which received the sanction of the two houses of Congress, but the then President of the United States exercised his *veto* power, and the measure was defeated. *A regard to truth requires me to say that the President was fully sustained in the course he had taken by the popular voice.* His successor in the chair of state unqualifiedly pronounced his opposition to any new charter of a similar institution; and not only the popular election which brought him into power, but the elections through much of his term, seemed clearly to indicate a concurrence with him in sentiment on the part of the people. After the public moneys were withdrawn from the United States Bank, they were placed on deposit with the State banks, and the result of that policy has been before the country. To say nothing as to the question whether that experiment was made under propitious or adverse circumstances, it may safely be asserted that it did receive the unqualified condemnation of most of its early advocates, and it is believed was also condemned by the popular sentiment. The existing sub-treasury system does not seem to stand in higher favor with the people, but has recently been condemned in a manner too plainly indicated to admit of a doubt. *Thus, in the short period of eight years, the popular voice may be regarded as having successively condemned each of the three schemes of finance to which I have adverted.* As to the first, it was introduced at a time (1816) when the State banks, then comparatively few in number, had been forced to suspend specie payment by reason of the war which had previously

prevailed with Great Britain. Whether, if the United States Bank charter, which expired in 1811, had been renewed in due season, it would have been enabled to continue specie payments during the war and the disastrous period to the commerce of the country which immediately succeeded, is, to say the least, problematical; and whether the United States Bank of 1816 produced a restoration of specie payments, or the same was accomplished through the instrumentality of other means, was a matter of some difficulty at that time to determine. Certain it is that, for the first year of the operation of that bank, its course was as disastrous as, for the greater part of its subsequent career, it became eminently successful. As to the second, the experiment was tried with a redundant treasury, which continued to increase until it seemed to be the part of wisdom to distribute the surplus revenue among the States; which, operating at the same time with the specie circular, and the causes before adverted to, caused them to suspend specie payments, and involve the country in the greatest embarrassment. And as to the third, if carried through all the stages of its transmutation, from paper and specie to nothing but the precious metals, to say nothing of the insecurity of the public moneys, its injurious effects have been anticipated by the country in its unqualified condemnation. What is now to be regarded as the judgment of the American people on the whole subject I have no accurate means of determining but by appealing to their more immediate representatives. The late contest, which terminated in the election of General Harrison to the presidency, was decided on principles well known and openly declared; *and, while the sub-treasury received, in the result, the most decided condemnation, yet no other scheme of finance seemed to have been concurred in.* To you, then, who have come more directly from the body of our common constituents, I submit the entire question, as best qualified to give a full exposition of their wishes and opinions. I shall be ready to concur with you in the adoption of such system as you may propose, *reserving to myself the ultimate power of rejecting any measure which may, in my view of it, conflict with the Constitution or otherwise jeopard the prosperity of the country; a power which I could not part with even if I would,* but which I will not believe any act of yours will call into requisition.

The storm now commenced to rage in earnest,—though, as yet, only faint murmurings of the thunder reached the people at large. Defeated in the cabinet, Clay immediately transferred the contest to the floors of Congress. On the 7th of June, five days after the Secretary of the Treasury's report, Clay read his programme resolutions in the Senate,—prepared at Ashland as far back as April,—and in accordance with the second of them made a call upon the Secretary for the plan of a national bank.

Mr. Rives objected to the wording of Clay's call. Mr. Ewing had referred primarily to a "fiscal agent," and the plan in the mind of the Secretary must lack the essential characteristic of a

national bank. Clay affected not to understand this. "In naming a United States Bank, he had done so," he said, "merely in conformity with the meaning and tenor of the Secretary's report." But he would be glad to adopt any suggestion which would enable them to obtain from the Secretary of the Treasury the plan of a "fiscal agent" as would be free from constitutional objections.

A modification of the call into "such a bank or fiscal agent as, being free from constitutional objections, will in his opinion produce the happiest results and confer lasting and important benefits upon the country," was finally concurred in,—the alternatives accurately defining the position of the two opposing parties. The one side wanted a United States Bank, whatever its merits or demerits, as a fiscal agent for the government; while the other was patriotically resolved upon a fiscal agent freed from constitutional objection and adapted to the wants and circumstances of the government. One of three things it must not be,—an old-fashioned national bank, a system of unregulated "pet banks," or the Independent Treasury, which stood condemned by the results of the past.

In the House, on the 5th of June, Wise, in behalf of the administration, offered a resolution calling upon the Secretary of the Treasury for "a plan of such fiscal agent, recommended in his report of this day, as will remove all scruples touching the question of constitutional power." Thus the parties stood antagonized.

[WISE TO TUCKER.]

WASHINGTON, June 5, 1841.

MY DEAR SIR: Yours had reached me from Accomac, and I had answered it before your last came to hand. Your project is in Tyler's hands, and plans are coming to their *denouement*. His message recommends nothing. Ewing's report, received Thursday, published to-day, concludes, as you see, by the enclosed extract. This recommendation—for it is one—made me immediately move:

"*Resolved*, That the Secretary of Treasury be requested to lay before this House a plan 'of such fiscal agent,' recommended in his report of this day, 'as will remove all constitutional scruples touching the question of constitutional power, and thus avoid the objections which have been urged against those fiscal agents heretofore created by Congress,' " etc., etc.

The House adjourned before the passage of this. It will certainly carry on Monday. Now what, you ask, is his plan? Judge White's old notion of a District Bank here, the branches to depend on State incorporation and State compact with the Federal government. Its specific details I cannot give you,

but suppose they will be conformable more purely to a fiscal agency than to commerce. This lets in, you see, your great principle. The two may be amalgamated, and though I don't like that word or its meaning, yet we may graft on the healthier sprout. Ewing will see your plan before he answers my call.

Clay is wholly impracticable; he is beyond conference or advice, and you and I had better not approach him. Tyler will veto his full-grown central monster, according to your view of a national bank, and he is madly jealous enough of T.'s running for a second term to make it a point now to drive him to a veto if he can. Let him do it. The veto kills Clay; and Webster and his friends take shelter under T., and the united opposition forces him back in a war with centralism—Clay for the focus.

This presents the whole campaign to you. Clay is the same man he was in 1828. He is a national, out and out; has combined Kentucky with New York and New England again, and wages a war of extermination to all republican strict construction. He has consummate nerve, and ability to stand alone; Webster has not, and flies before him. We humble the latter to us, and must combat the former. Regard Clay as the opposition to Tyler's administration ultimately.

Yours truly,

HENRY A. WISE.

[*Extract from Secretary Ewing's Report enclosed in the foregoing letter*]

Yet the power (to incorporate a national bank) has been questioned by many wise and patriotic statesmen, whose opinions are entitled to consideration and respect; and in a measure like this, of high political import, which, if wisely conceived and cordially concurred in, must have a great and enduring influence on the prospects of the country, it is important, as far as possible, to obviate objections and reconcile opinions.

If such an institution can be so conceived in principle and guarded in its details as to remove all scruples touching the question of constitutional power, and thus avoid the objections which have been urged against those heretofore created by Congress, it will, in the opinion of the undersigned, produce the happiest results, and confer lasting and important benefits on the country. The undersigned, therefore, respectfully recommends the creation of such *fiscal agent*, and the repeal of act of July 4th, 1840, etc.

CHAPTER II.

1841.

"I pray you to believe that my back is to the wall, and that while I shall deplore the assaults, I shall, if practicable, beat back the assailants."—JOHN TYLER (1841).

"Tyler dares not resist I'll drive him before me!"—HENRY CLAY (1841).

THE EXTRA-SESSION.—NATURE OF THE CONTEST BETWEEN THE PRESIDENT AND CLAY.—LYONS' INTERVIEW WITH CLAY.—MOTION TO REPEAL THE INDEPENDENT TREASURY.—CONTEST IN THE SENATE.—EWING'S REPORT.—HIS BANK BILL.—COMMENTS OF THE "NATIONAL INTELLIGENCER."—CLAY'S "OLD-FASHIONED" BANK.—RIVES, ARCHER, PRESTON, AND MERRICK.—CALHOUN.—LETTERS OF WISE.—THE PRESIDENT AND GOVERNOR RUTHERFORD.—THE BOTTS-CLAY AMENDMENT.—PASSAGE OF THE FISCAL BANK BILL IN THE SENATE.—SPEECH OF GILMER.—OF WISE.—THE FISCAL BANK BILL PASSES THE HOUSE.—VETOED.—EWING ON THE FISCAL BANK.—THE PRESIDENT'S STATEMENT.

THE contest, which had raged privately at Washington for a few weeks succeeding Mr. Tyler's accession, and which, after the 7th of June, began to make a public noise, was one not alone of "Bank or no Bank," but of centralization and the constitution. It was a contest between an unrestricted majority rule in Congress, and the constitutional intention that all great disputed questions should be subjected in the constitutional way to the great test of a constitutional amendment. It was a contest above all in which the South was interested. Everything was tending towards consolidation; and consolidation meant sectional rule. How cruel and tyrannical that rule could be the history of the tariff until 1833 had shown! It was a contest to stave off the day of the entire fulfillment of Grayson's prophecy that the minority representation of the South in Congress would be merely an excuse for the imposition upon that section of all the government burdens, when to be a Southern man would be, so far as the presidency is concerned, as an alien debarred by a constitutional provision from ever aspiring to that office, and finally when the spectacle should appall the eye of States compelled into disunion,—only to be subjugated and bound as a tail to the great Northern kite.

Since the day of its great awakening in 1827 the South had fought a grand fight. With unparalleled courage it had opposed itself to the flood of Federalism as it came sweeping down from John Quincy Adams' administration; and as the ugly monsters of the Bank, tariff, and internal improvements had raised their yawning mouths out of the waters, it had Theseus-like inflicted a most fearful punishment upon them. The Bank, tariff and internal improvements were thought to be obsolete ideas; and in effecting this glorious result we have seen in our first volume that the part played by Mr. Tyler was of the first order of importance.

But the serpents of Federalism were in fact only "scotched" and not "killed;" and now, while Mr. Tyler was president, they had suddenly come again, in form more terrific than ever, and when party intrigues had fettered half the South, and public distress had weakened and disarmed the other half. The Bank led the way,—“the original sin against the Constitution, which, in the progress of our history, had called into existence a numerous progeny of usurpations.”¹ The fate of the South and the economic destiny of the Union for the next twenty years hung upon the will of *one* man. If that will failed, Bank, high-tariff, waste of the public lands, and a tide of speculation would sweep the country. A Bank charter for twenty years entailed another for twenty years; and think of the monopoly that would, as certain as fate, exist to-day, of a Bank made the depository of and employing and enjoying the immense revenues of the United States, amounting almost to \$400,000,000. If any man was a “man of destiny,” surely Mr. Tyler was. He struck with a gauntleted hand, and if “the obstinacy unmixed with firmness” of Andrew Jackson only scotched the snakes, the “firmness unmixed with obstinacy”² of John Tyler was the weapon of all others to kill them.

Clay was deeply chagrined at his failure to lead off the cabinet from Mr. Tyler and Mr. Webster on the subject of Judge White's project. It was foreseen by him that the settlement of the currency question, with the co-operation of the President, would not only take away his “cry” at the North, but very probably place Mr. Tyler in such a position at the head of the Whig party as to

¹ Mr. Tyler to Mr. Tazewell, Vol. i., p. 499.

² See Letter to Robert Tyler, Vol. i., p. 530.

make him the only possible Whig candidate in 1844 for the presidency. While the Fiscal Bank bill was pending in Congress, somewhat later, Mr. James Lyons came to Washington, and, being one of the Whigs of the Madisonian school, who thought that the decision of the Supreme Court in 1819 had settled the question, in an interview with the President, offered several arguments in favor of a national bank, but found him absolutely firm upon the platform of his oath and consistency. "I afterwards," said Mr. Lyons, "talked with Mr. Clay and found him very violent. He said, 'Tyler dares not resist. I will drive him before me.' I answered, 'You are mistaken, Mr. Clay. Mr. Tyler wants to approve the bill, but he thinks his oath is in the way, and I, who know him very well, will tell you that when he thinks he is right, he is as obstinate as a bull, and no power on earth can move him.'"¹

¹ Letter of James Lyons to the *New York World*, August 31, 1880. Mr. Lyons' Whig address of 1840 has been mentioned several times. The following is an extract from a letter of ex-Governor William Smith, of Virginia, to the January number, 1880, of the *Southern Planter and Farmer*:

"I think," says he, "that I have the Whig campaign address of 1840 for Virginia, written by Mr. Lyons, in which Harrison and Tyler are put upon the same platform of anti-bank, anti-tariff; and upon those grounds Virginia was asked to support them. I well recollect my discussion with Mr. Lyons on this subject at Amelia Springs, as he no doubt does. . . . Under these well known circumstances a Bank bill was passed and sent to the President. While the bill was before him, and, I suppose, before it reached him, no doubt, leading Whigs did the President the honor of having interviews with him of a caressing and gracious character. . . . While this bill was before the President, he did me the honor to invite me to confer with him upon it. At the time appointed, with my friend, Col. Geo. W. Hopkins, I appeared at the White House, and in a very full and pleasant interview, went over the whole subject. I found him very anxious and earnestly desirous to do everything in his power to satisfy his party, but firm as rock against a United States Bank."

The following is the letter from ex-Governor Smith to the author, calling his attention to the article above:

[TO LYON G. TYLER.]

WARRENTON, VA., Dec. 2, 1882.

LYON G. TYLER, ESQ.,

MY DEAR SIR: I am in receipt of yours of the 25th ult., asking if I could furnish any papers in aid of your purpose to write the biography of your illustrious father. In reply, I regret to have to inform you that I have no materials at my command that would in any important degree add to your praiseworthy design.

If it be your intention to defend your father's consistency as to the United States Bank, an article of mine, published in 1880, in the January number of the *Southern Planter and Farmer*, a copy of which I mailed to your mother, might

Clay promptly proceeded in the Senate to put every lash into his whip with which, as he vaunted, he meant to drive the President. On the third of June, four days before the proposal of his resolutions directing the business of the extra-session, he moved an inquiry into the expediency of repealing the Independent Treasury. The resolution he had now offered was the same in substance with that moved by him at the last session under Van Buren. But how different was the tone now assumed by the party leader! Then, when pressed by Silas Wright, of New York, to name his substitute, and say whether he intended a national bank, or a system in connection with the local banks, he had equivocated, "Sufficient for the day is the evil thereof!" Now he expressed it as a conviction "always" entertained by him, that the only alternative to the sub-treasury was a national bank.

But Clay received a check in a quarter that was most retributive. In the Senate sat William C. Rives, whose election, as we have seen, Clay himself had instigated. Rives hated the Independent Treasury, but he was by no means inclined to let Clay palm upon him and the nation the view that confined the choice of the future fiscal agent to a national bank. He would vote for Clay's proposition, but he was mistaken in saying that a United States Bank was the only alternative. "The President himself, in his message," said Rives, "had indicated several. There were the State banks, there was the United States Bank, and there was the fiscal agent, which might be marked with a very different character. He entirely agreed with the President that a large majority of the people had unequivocally condemned the Independent Treasury, while at the same time they had not pronounced their will in favor of any other."

Clay, however, did not rest with the mere proposition to repeal the Independent Treasury. Barrow, Preston, Archer, and Merrick concurred with Rives, that the State bank system had not had a full and fair experiment; and to cut off at once the rivalry in this direction, and to embarrass the President into compliance, he sub-

be of some service. In this connection the Whig presidential address of Virginia for 1840, written by James Lyons, Esq., would be of essential service, and should be secured.

Writing with great labor, and wishing you the most brilliant success, I am, my young friend, most truly yours,

WM. SMITH.

sequently moved an amendment to repeal the law of 1836 regulating the deposits in the State banks, which would have stood revived by the effects of his bill in its present shape. "The senator from Kentucky," said Mr. Rives, "seems to desire not only to put down the sub-treasury law, but by the same blow to prostrate the State banks, and any other fiscal agent, so that nothing should remain to be adopted but a Bank of the United States."

The bill to repeal the Independent Treasury was passed by the Senate, but the amendment was defeated, much to Clay's mortification, by the votes of Rives and his friends. The lashes of Clay's whip had missed the President in the furious blow aimed at him, and struck the would-be "driver" full in the face. To extort obedience from the President on his own terms, he had shamelessly stultified himself, by repudiating in the first week of his party's ascendancy a principle lustily insisted on by the Whigs in the late contest, and indeed since their first organization into a party. All recollected what had been said of General Jackson for uniting the powers of the purse and sword in the person of the executive. The passage of the law of 1836 had been looked upon by the Whigs as a triumph in the interest of constitutional government, and yet here were Clay and a majority of the party in the Senate consenting to consign to the naked keeping of a President of their own making the immense revenues of the government. Clay boasted, with great emphasis and animation, that "the day of judgment was come,"—but the judgment fell ten times more heavily on himself than on any other man in the Union.

The rejection of his amendment by no means promised to Clay the easy "walk over" that he had prided himself upon. But he had gone too far to care for consequences, and he knew the power that party could exercise over recalcitrant members. He had this great advantage over the President. His Bank work had begun far back at the last session under Van Buren, and when Mr. Tyler came in, he had already succeeded in getting the current fairly set towards his object. Many of the State-rights senators and congressmen had been hopelessly entangled in Clay's meshes, and the number of those who dare to play the "independent" in any game of life is always few and far between.

On the 12th of June, immediately succeeding, Ewing reported his plan of a fiscal agent to Congress, drawn up on the model of

White's plan of a District bank. Such as it was, it was the Secretary's own. The President avoided, as much as possible, any interference on his part, since, for reasons connected with the harmony of the party, he regarded it as best that the measure should appear to have emanated from Congress. Only as to the main feature did he express an opinion,—the principle of the assent of the States to the establishment of branches within their several limits, which was incorporated as known to be indispensable for securing the executive sanction.

The sentiments entertained by the moderate Whigs generally towards this project may be found in the following extract from an editorial on that subject, taken from the *National Intelligencer* of June 15, 1841. In speaking of the differences of opinion which were known to exist between those who composed the administration and the majority in Congress, it observed:

On the subject of a Bank especially, it is well known that there has existed much difference of opinion among those who have acted together most cordially in opposing and overthrowing the policy of the preceding administration. The sentiments of the President, for instance, *as they have been well known and constantly maintained for the last fifteen years*, are not in all respects such as the Secretary of the Treasury and other members of the cabinet are equally well known to have entertained and expressed. These differences chiefly respect the extent of the constitutional authority of Congress in the creation of a bank, and clothing it with powers. What, then, is the line of duty naturally recommending itself to those who, with these differences of opinion, find themselves called on to discharge high obligations to the country? Is it to beat the field of constitutional agreement all over again in the vain hope of coming to a perfect unity of opinion on all particulars in the end? Is it not rather to consider how far they differ and how far they agree, and to enquire, with candor and honesty, whether that on which they do agree may not be made efficient for relieving the country? It is in the spirit of this last proposition that the administration appears to have acted. The particular plan before Congress is that of the Secretary of the Treasury; but it is reasonable to suppose that it has been considered, and its general outline approved by others.

And the article wound up with a gentle exhortation to Congress to do as had been done by the administration—to sacrifice personal predilections, and, with singleness of heart and a full sense of the responsibility resting upon them, to “unite their counsels fairly and cordially, and make a vigorous effort to relieve the country.”

In Ewing's praise be it said, that the industry and anxiety exhibited by him at this juncture in conforming his project to the business interests of the country and conciliating support were every way commendable. Mr. Webster aided him all that was possible, but at best they only met with doubts and discouragements from the capitalists of the country. Hardly a single subscriber to the stock of the bank could be calculated on with any degree of certainty.¹ But so desperately intent were the Whigs in the creation of a *Bank*, that "a *Bank* they would have,"—so a friend told Senator Buchanan,—“though its exchanges should be bacon hams, and its currency be small potatoes.”

On Clay's motion, the Secretary's report, with the accompanying bill, was referred to the select Committee on Finance, of which Clay was chairman. It never saw the light of heaven again. It was smothered in the darkness of the committee room; and on the 21st of June a bill for an old-fashioned Bank of the United States was ushered into the Senate by Clay, accompanied by a report which declared that “no bill for the establishment of a bank in the District of Columbia would be effectual, which did not contain a clear recognition of the constitutional power of Congress to establish branches wherever in the United States the public wants, in its judgment, require them.” The struggle was thus announced to be on the constitutional power—and on that it was not possible to compromise.

An ardent contest immediately arose in the Senate between the majority of the Whigs, and Rives, Archer, Preston, Merrick and Barrow, who had been so repeatedly committed against the Bank as not to have the stomach to swallow the bill all at once, and in such an overflowing dose. On the 24th of June Clay addressed the Senate at great length in explanation of the various provisions of the bill to incorporate the Fiscal Bank of the United States,—a name derived from the Bank bill of Ewing. He roundly asserted that the Bank was stronger than the Whig party, and that a large portion of the Democrats in the country favored the measure. Mr. Calhoun remarked in reply that the senator on the latter point was assuredly mistaken. So far from that being the case, the reverse was the fact. He believed the sentiments of the South were averse to the establishment of any bank of any kind.

¹ Webster's Works, ii., p. 133.

But this feeling was not confined to the South. A Northern paper, the *Boston Courier*, an old and respectable organ of the Federal party, expressed strong doubts as to the propriety or expediency of the very measure now brought forward. But, said Mr. Calhoun, the senator had alluded to the great number of projects for a fiscal agent presented for his consideration; and he (Calhoun) had also been favored with several of these plans. Was it not a warning that they should proceed with caution and deliberation in the matter?

Such language as Calhoun's was lost upon Clay. He peremptorily ordered an immediate discussion of the bill, notwithstanding its complicated provisions and great national importance. But once more he inflicted punishment with his own whip upon his person; for on the question being taken on postponement until the next day, the proposition was agreed to—yeas, thirty-five; noes, thirteen.

The bill hung suspended in the Senate for weeks after this day; but how wide awake in the meantime the President and his friends were, in observing the course of Congress, is shown by the following two unpublished letters of Henry A. Wise, written in his characteristic style, to Judge Beverley Tucker:

[WISE TO TUCKER.]

WASHINGTON, *June 18, 1841.*

DEAR SIR: I have received your two last letters, but have been so engaged and so sick that I can now do no more than make an apology for not answering them. I am now sick in bed. Your views upon the right of petition I shall, with your permission, quote in a speech which I shall soon publish.

I cannot account for my letters getting to you so late. Your last letter shows that you understand how things are here. You understand everything and everybody except Preston. I have not seen him to say to him what you request, but I think I know he is off from Clay; indeed, before your letter came, he opened himself to me upon the subject, and he is decidedly with Tyler and Webster, unless he deceives me or is mistaken in himself. Poor Clay, he is *felo de se*. As to Webster, I feel towards him as you do, and will act towards him as you will—without trusting him, will accept his aid.

Ewing's report is not to be regarded as Tyler's measure. Tyler would hardly sanction all of its features, but even that Clay will oppose; and he is determined to oppose everything coming from Tyler. You need not fear but that we shall have Preston's co-operation; but, *inter nos*, I have very little confidence in him. It is uncertain whether Mr. Sergeant will go to the court of St. James, and I do not think he will; and if he does not, I cannot conceive to whom Tyler will tender the mission.

I am in so much pain at present, you must pardon me for my brevity. Present me again to Sam White, and tell him I shall look out for the fate of his resolutions. And present me also to John Henry Parker. Tell him of my situation, and tell him that you can inform him what my opinion of Mr. Clay is. He must continue to write to me whether I answer him or not.

Yours sincerely,

HENRY A. WISE.

[WISE TO TUCKER.]

WASHINGTON, June 27, 1841.

MY DEAR SIR: My health is returning, and I am returning to the charge in my *visibus*, though I fear I shall never again have the "*red*" and the "*integratis*."

I sent you the *nest* of the "pipped shell" the other day, and you will discover from the old bird that the young ones, quail like, may run about—aye, run away—before the shells are off. We are watching the nest; and the young ones, you may rely on it, will never flock together, unless in our own pie on our own board. Clay's game, to be plain, was plainly seen. One thing which struck us at first was that he wished to play tyrant and dictator, and drive Tyler to a *veto*. A veto, he thought, would kill him. To meet this, the locos had only to unite with Archer, Rives, Preston, Merrick, and, perhaps, Barrow (*our men* in the Senate), to amend his (Clay's) plan by Ewing's, and thus put him and his friends to the alternative of taking that or taking the responsibility of defeating any fiscal agent whatever. But it was soon deemed or dreamed that he was for playing the "Great Pacificator" again, instead of the dictator; that he would satisfy Wall-street centralism by offering and pressing his and their plan first, and, after throwing the defeat upon Tyler's friends, then go back to Ewing's scheme in the spirit of *conciliation* and *compromise*,—two terms magical and fortune-making with him. The locos, therefore, disappointed him egregiously in making no amendments of his plan and in helping it along through the Senate. If it passes there, it will be defeated in the House; and, if it passes both Houses, it will die the death of the veto. But it will never reach the President. The Whigs are too ready to compromise for his purpose. His measure will pass the Senate, be amended in the House of Representatives, and sent back to him to be taken by necessity or to be rejected on his responsibility. Preston, I tell you, is trying to be with Tyler. He is already, and wants only to be *trusted*. He may be relied on with us, because he can do no better. Rives is with us now. Archer is *obliged* to be with us, or perhaps he would not be. He is weak, but not wicked. For instance, I am told that he is sophomore enough to say if Clay's plan is presented to Tyler, he must veto, but then *resign*! Ehem! Merrick, of Maryland, is with us. Barrow, of Louisiana, may be. Mangum has gone from the Antarctic to the Arctic! He is as much Clay now as he was once Calhoun. His colleague is a stern Federalist, and he (Mangum) is a stern nothing.

The *Intelligencer* is not *official*. Look at the editorials of yesterday and the day before, and you'll see that they would speak "by authority" adversely to "some friend" of T., but dare not, and have to retract all implication of that

sort. Nor is the *Madisonian* exactly *official*. It will and shall, however, insert your arrows in its bow. It belongs to Rives, and I, too, would feel its pulse. So send to me your essays, and I care not how soon. I will have it sent to you. . .

Yours very truly,

HENRY A. WISE.

The President was too sagacious a man to sit still and fold his hands, while the enemy were moving heaven and earth to destroy him. The language of Calhoun, in his letter of July 14, 1840, bewailing the division of the State-rights party between the Whigs and Democrats, for which he was responsible, conveyed a melancholy truth. "If united," said he, "victory [for State-rights] would be certain, and safety placed beyond contingency;" but how little the President was led away in his opposition to the Bank by any *selfish* idea of union with the Democrats, as afterwards lustily maintained—or even with the State-rights wing of that party—is made manifest by the following correspondence between him and the Governor of Virginia (his old friend, John Rutherfoord), who had left the opposition about the same time as Tazewell, Gordon, and Calhoun. It was the policy of the Democrats to oppose everything in the nature of a bank, or fiscal agent, likely to be adopted by a Whig Congress. Hence, they condemned White's project as much as they did Clay's old-fashioned Bank.¹

[GOVERNOR JOHN RUTHERFOORD TO PRESIDENT TYLER.]

RICHMOND, 21 June, 1841.

MY DEAR SIR: The deep interest I feel in the important part you will ere long be required to act is my only apology for addressing you. I need not assure you that, apart from my anxiety on the subject to which I refer, I am sincerely solicitous *on your own account* that your future course may fully sustain the principles of democracy and of the constitution. As one entertaining for you the highest personal esteem and respect, I would beseech you (independent of the interest I feel for our country) to pause and ponder before you sanction any bill incorporating a Bank in the District of Columbia, with branches in the States, whether it be proposed to obtain the assent of the States within which such branches are to be located or not. For surely, if a national bank be unconstitutional (call it by what name you will), the assent of every State in the Union, given *in the mode proposed*, would not amend the Constitution. The Constitution itself has already designated the mode in which farther grants of power to the Federal Government may be obtained;

¹ I am under obligations to Alexander Rutherfoord, Esq., brother of the late Governor Rutherfoord, for the originals of these important letters.

and in that mode only, in my humble judgment, can that instrument be amended.

But, leaving constitutional objections entirely out of the question, you may rest assured that the recent developments with regard to the late Bank of the United States have greatly increased the hostility of the great body of the people to the renewal of any national institution of the kind. An immense monied corporation, with branches extending from one end of this vast continent to the other, cannot, in the nature of things, be well managed. The earth must be inhabited by a different race of beings before such an institution can be fraught in its consequences with aught but evil to the country. In the proposed plan of Secretary Ewing the *douceurs* (or bribes, if I may so call them) held out to the States to give their sanction to the scheme, are degrading to State sovereignty, and are calculated, I think, to prove highly demoralizing in their effects.

It appears to me that a bold effort is about to be made to revive the system and principles of Hamilton, and that it becomes all who regard themselves as the disciples of the Jeffersonian school, and would defend State-rights against consolidation, to take a decided stand against the encroachment of Federalism in whatever guise it may assail us. Your old Democratic friends in Virginia are looking with intense interest at the course of events in Washington, and to the part you are to act in the approaching crisis.

Your position, we all know, is a novel and trying one. The present cabinet was not of your own selection. Accident brought you together. With *your* principles, you could never have called such men around you, and have no doubt thought it best to yield temporarily at least to *circumstances*. Clay and Webster, the great *would-be* leaders of the dominant party, are both aspirants for the presidency, and each is thinking more of *himself* than of you, or the success of your administration. You are beset, importuned, and tormented by those who have objects of their own to attain. But, let me assure you that there are none on whom *you* can rely with so much safety as those old State-rights Republicans (whether Democrats or Whigs) who stood by you in times gone by, and who would again rally to your support against the demagogues who look to a monied corporation (which they hope to manage) as the means of accomplishing their own ambitious designs, and of establishing and perpetuating the Federal principles and consolidating system of Hamilton.

You must excuse me, my dear sir, for thus trespassing on your valuable time. I do it *as a friend*, and know you too well not to feel assured that you will at least appreciate my motives. It is my sincere desire that your administration may redound to your own honor and the welfare of our common country. I do believe that the people of the United States are essentially *Democratic* in their principles. The late elections (as you have justly said) furnish no proof of their being in favor of a national bank, or of their predilection for any particular system of measures. The country had become embarrassed by wild speculation, and our monetary affairs were most sadly deranged by over-banking, and (as Mr. Webster said in one of his harangues) "*change, change*" was the cry, and change we have had. But I fervently

pray that it may not eventuate in giving us a monied dictator for twenty years, with the power of *self-perpetuation*. Our fate rests with you, and I cannot but hope for a safe deliverance.

I remain, dear sir, with high esteem and respect, your friend,

J. RUTHERFOORD.

[To GOVERNOR J. RUTHERFOORD.]

(*Confidential.*)

WASHINGTON, June 23, 1841.

DEAR SIR: Your friendly letter has this moment reached me, and I beg you to be assured that I properly appreciate the motives which prompted you to write it. My opinions on all subjects remain wholly unchanged, and so they have been through all time; and yet mark my situation: with avowals constantly given out of great confidence in my political integrity, arising out of a uniform devotion to principle, I am put upon trial by those with whom you have associated yourself,—no confidence given or declared. The observation of my course for twenty-five years is not enough. My late message is not enough. *I am placed upon trial*, and left to infer from the past that even *after trial* and a full vindication of my consistency, those who have all along opposed me will still call out for further trials, and thus leave me impotent and powerless. What, then, can I say but that, if Congress passes a Bank or other fiscal agent free from constitutional objections, that I will approve it. To propose a scheme of my own would be the height of folly, since I have no one to sustain it on independent principles. What more would you have me do under the circumstances than say to my cabinet: “Take the subject and frame a bill not violatory of the Constitution, and I will approve it should it pass Congress,—unless it outrages propriety?” Can it be possible that you suffer yourself to be misled in your opinion of that scheme by the assertion of a truism, but one inapplicable to the case, viz.. That this government cannot *acquire* power by the assent of the States? What power is acquired by the proposed plan? The local legislature here tenders to the local legislature of the States a scheme of banking for their acceptance or rejection. Both have full power to create a bank or banks, either in the form of substantive creations, or in a secondary form. Reverse the proceeding. Suppose Virginia to create a bank of \$30,000,000 with leave to the directors to establish a branch here if Congress shall consent, will you furnish me any constitutional objection to the procedure? I go no further into the matter than to declare that in my opinion there is not the slightest objection which can be justly taken to it on constitutional grounds. In this opinion I am sustained by John W. Eppes, Wm. M. Burwell, Hugh Lawson White, John C. Calhoun, Gen. Jackson, Martin Van Buren, the legislatures of Republican States over and over repeated,—but I might have stopped with the first name, the son-in-law of Mr. Jefferson, and the rigid and uncompromising advocate of his principles.

I am too much pressed for time to say more than to add that the old nationals declare this to amount to a denial of the power in Congress to create a national bank (see Clay’s report), while you in Richmond unite with them in condemning. Remember always that the power claimed by Mr.

Clay and others is a power to create a corporation to operate *per se* over the Union. This from the first has been the contest.

I write you in haste, and only design to set you to thinking for yourself upon this subject. Of your support I shall have cause to be pleased. At the distance that you are, you can only see but a small part of what is going on. If *you* do not know me, who can? and if I have not your confidence, then further effort to obtain it will be vain.

With my best regards to your family, accept assurances of my friendship and esteem.

JOHN TYLER.

The constitutional difficulty turned mainly upon what was called the sixteenth fundamental rule in the eleventh section of the two bills submitted by Ewing and by Clay. On the 1st of July Mr. Rives moved to amend the rule of the latter, which provided for branches without the assent of the States, by substituting that of the former, which made the branches dependent on such assent. In support of this measure the friends of Mr. Webster in the Senate—Choate, Bates, Bayard, and Prentiss—joined the State-rights senators whose names have already been given. The first named addressed the Senate at some length in favor of Mr. Rives' amendment. "While he acknowledged that he had no doubts in his own mind as to the constitutional power of the government to establish branches in the States, he said the opinions of others who entertained different sentiments should be respected, and thought the mere assertion of the power impolitic, when it was not necessary for the practical efficiency of the measure. He had no doubt—indeed, he would say that he knew—if this amendment was not agreed to, no Bank bill would be passed into a law during the present session, and the country would be deprived of this important measure of relief, so much needed and expected."

Mr. Clay thereupon fiercely demanded of Choate his authority for the statement that "he *knew* we would have no Bank this session unless the amendment was adopted." Choate replied, that such was his conviction, founded upon reasons which he could not give without a breach of privilege or violating a parliamentary rule. Red-hot shot passed between the two senators as to the nature of this foundation for Choate's conviction—Clay insisting peremptorily upon a direct answer, and Choate demanding his right to explain what he did say in his own words. The interposition of the Senate was finally required in the interest of order.

On the 6th of July the question was taken on Rives' amend-

ment, and decided in the negative by ten to thirty-eight. The Democrats, excepting Walker and Williams, voted with Clay to cut off a compromise between the threatening wings of the Whig party. This result was a disappointment to Clay. His idea was throughout to satisfy Wall-street centralism by "offering and pressing his and their plan first, and, after throwing the defeat upon Tyler's friends, then go back to Ewing's scheme in the spirit of *conciliation* and *compromise*." The Democrats, therefore, in voting down Rives' amendment, defeated his purpose at this stage, and forced him to the passage of his bill.

But Mr. Tyler was too sagacious for Clay. Ewing's scheme had been only tolerated by him from the idea that it would be really acceptable to the Whigs. But Clay's report had ridiculed and denounced it, and the Whigs had just rejected it. Henry A. Wise wrote to Tucker four days later :

WASHINGTON, July 11, 1841.

. . . . Tyler is free from it forever now. He can never be asked now again either to let a cabinet prepare a *recommendation*, or *take or fall back upon what they did not recommend*, and *what was rejected by both parties*. Clay is fairly caught. He thought he would drive Tyler to a veto, get all the credit of passing through Congress a Bank charter, throw on Tyler all the odium of veto, have an excuse for a compromise then, and fall back on Ewing's scheme as again a great pacificator ! I say he is caught. Tyler will never look at Ewing's scheme again. It was his camp for a night only, and now that the enemy occupies every height around it, he is not such a fool as to occupy it again. He desires nothing so much now as for Clay's bill to come to him, to kill it, as he certainly will, without a moment's hesitation ; and he is not such a fool as to fall back on Ewing's plan.

Thus the Fiscal Bank continued in the Senate the subject of stubborn controversy. Two Whig senators were enough to put Clay in a minority, and the views of Rives, Archer, Barrow, Merri-
 cker, and Preston afforded a strange commentary on Clay's boast that the country was in favor of a Bank. The wonder was the other way, that State-rights representatives from Georgia—a State which had no National Republican ticket in either 1828 or 1832 (see Appendix, H, p. 711), should now, under the Whig name, be led by Clay into Nationalism, and men like Mangum, of North Carolina, who voted against the Bank in 1832,¹ and the Force Bill in 1833, should shout hosannas to Clay on the Bank question in 1841.

¹ See Senate Journal, 1831-'2, p. 344, for Mangum's vote.

[WISE TO TUCKER.]

WASHINGTON, July 24, 1841.

MY DEAR SIR: I am afraid you think me a worthless correspondent. I have seen Granger about the mails, and he promised *reform*. Three of your letters are before me unanswered. To begin with the last. I saw Allen (of the *Madisonian*) yesterday, and read to him "a State-rights man." He admits it cheerfully, and it will appear on Tuesday morning. Really, with the sincerest protestations against all flattery, I would not have missed such an arrow, or have such an arrow miss for all the spoils of the campaign it commends. It is *precisely* what I burned to say, as I felt it all myself, but I could not say or write it half as well, because I felt it so *smartly*. Allen will keep it, and Ritchie shall print it, too. Clay now is puling again. He finds he can't bully his measure through, and he begins to beg a little. He will fail in the Senate, and I am sorry for it. After the Whig caucus of the two Houses had distributed the business of the session between the two Houses, giving the Senate the Bank bill, he trumped up another device the other day by caucus, to bring up the same measure in the House, and pass it through by a large majority, to constrain both Senate and executive by the action of the representative branch. All went do. His plan will either fail in the Senate or be vetoed, and *the time for compromise is passed*.

[THE PRESIDENT TO TUCKER.]

WASHINGTON, July 28, 1841.

MY DEAR SIR: I am your debtor for two letters, which I have been wholly unable to answer, from the extreme pressure on my time. It may be said of the office-seekers that "their name is Legion," and to throw them off, or even diminish the force with which they rush upon me, is found to be impossible. That I should commit many blunders in my appointments, is in no way to be wondered at, with a full understanding of the arts and subtleties to which the eager pack continually resort. I wish I had received your letter in favor of Gen. Melbourne sooner; it would have protected me against the error which I am sensible I committed in removing him; but it was a day too late, and in ignorance of the true merits of the man, I removed him. Every day the more convinces me how little real patriotism was mixed up in the late contest. The great mass is always true to the country, and governed by correct motives, but the noisy demagogue had his eye for the most part fixed on selfish ends. Are we destined ever again to see the day when the good of the country is to be the great consideration with political parties? I fear not.

The condition of things here is indicative of angry future contests, as likely to arise between those who were but six months ago apparently friends. When I arrived here, or within a day or two after, I became fully apprised of the angry state of the factions towards each other, and set myself to work in good earnest to reconcile them. I was surrounded by Clay-men, Webster-men, anti-Masons, original Harrisonians, old Whigs and new Whigs,—each jealous of the others, and all struggling for the offices. I declared my fixed determination to listen to no such distinctions, but to make but one enquiry, which was as to superior qualifications. Little did I then dream that I my-

self was destined to be at so early a day the object of intolerant assault. My opinions on the Bank question were fully known. They had been reviewed by myself, and no cause was found to change them; but I nevertheless indulged the hope that efforts at compromise would succeed, and I therefore set myself to the task of devising some plan which would lead to conciliation and harmony. Your plan I would have preferred, but it was too new and bold for those around me, without great reflection, time for which was not allowed. I therefore suggested the more simple expedient of Judge White's suggestion, and finding its constitutionality admitted by some of the soundest statesmen, having received in 1832 the unanimous vote of every State-rights man in the Senate, my own among the number, I recommended it to Ewing, who accordingly framed his bill in accordance. With Clay I had had the fullest conversation, and in the strongest manner urged it upon his adoption. I need say no more than to refer you to the vote of the Senate in relation to it. Whether his scheme is to pass the two Houses, a few days will determine. The newspapers assert that the veto will be used; but I have not authorized publications of that character. My conversations with the leading men of the two Houses have been free from concealment, because I felt that they ought to be so in order to avoid a contingency which might lead to a rupture; but that which was devised for harmony is declared to have arisen in a spirit of executive dictation, and the war is to be made not only upon my opinions, but my motives. I pray you to believe that my back is to the wall, and that while I shall deplore the assaults, I shall, if practicable, beat back the assailants.

It will give me pleasure often to hear from you, and I pray you to accept renewed assurances of my respect and esteem.

JOHN TYLER.

Notwithstanding all the engines of party power, unscrupulously and ruthlessly employed, Clay finally found that the task of moulding senators to his will was no easy one. In despair of securing the passage of his measure, he had at length to descend to the arts of compromise. He had won the reputation of the "great pacificator" in 1833, but his peacemaking then, as his peacemaking now, was, after all, only another form of bullying, intended to overcome obstacles which main force could not accomplish. In each case he had been the man who had sown the wind, and his magnanimity as a peacemaker was alone made apparent when he was brought to recognize that he did not possess the power to "guide the storm."

But as Mr. Tyler was the author of his honorable tariff compromise, in 1833, whereby the peace of the Union was restored, so now, when the object was to circumvent the administration, the questionable credit belonged to quite a different kind of man from Mr. Tyler.

Among the Whig members of Congress was a man named John Minor Botts. Like all the prominent Virginia Whigs, Botts had been an anti-Bank man,—indeed, had voted for the resolution of the Virginia Assembly in 1834, affirming its unconstitutionality.¹ From that day to this, Botts was never known to have publicly recanted his opinion. He had been loud in the profession of the true faith, and in 1839 he had been one of the “impracticable Whigs” who had denounced the treachery of Clay and the Whigs in electing Mr. Rives. Botts, however, like the rest, wanted office, and was particularly offended that Mr. Tyler should not hearken to his claims. Up to the last moment, he forced himself upon the President, pretending, as he expressed it, the most “unaffected sincerity” for his welfare and the success of his administration; but, at the same time, disappointed in his hopes of speedy preferment, and seeing the drift of things, he joined the Bank men, and went about secretly intriguing to effect the President’s downfall. In moral character, Botts was a second Benton,—a mere varnisher of truth,—a man who could believe anything and assert it as a fact.

Now, Botts saw Mr. Clay’s embarrassment, and he made a vaunt of his imputed intimacy with the President to obtain from him an acquiescence in a compromise. The proposal was gladly accepted; and Botts, big with his importance, waited upon the President at the White House. He represented to the President his regret at the apparent differences between him and Congress, expressed his warm confidence in the President, and declared, with much complaisance, that he had at last hit upon a device which would reconcile every difference and make all things happiness and sunshine. The President was too old a statesman to be caught in any of the traps which might be invented by even the subtle brains of as subtle a man as the subtle Botts. He declared that he would not examine the paper containing the compromise unless Botts promised that, if it met with his disapproval, he should never see it again. This Botts readily agreed to do. The Presi-

¹ See House Journal, 1833-’4, p. 169. The resolution was as follows: “Resolved that the General Assembly cannot recognize as constitutional the power which has been claimed by Congress to establish a national bank, because, in their opinion, as they have heretofore solemnly declared, that power is not given to Congress by the Constitution of the United States.”

dent then read the paper, and found it to contain a most unfair and tortuous proposition. It proposed to authorize the establishment of branches in any State, the Legislature of which did not, by a formal act, express their *dissent* at their next session, (thus taking the assent as implied unless directly withheld); and provided that, even in case of such refusal, Congress might authorize the branches wherever the public interest might seem to demand them.

Of course the President spurned the paper from him, and pronounced the compromise "a contemptible subterfage, behind which he would not skulk."¹

Waters never rise higher than their source; and Botts, arguing from his own depraved feeling, no doubt thought that he was doing the President a good turn to give him an excuse for withdrawing from his position. He went off, taking the amendment with him, but instead of destroying it, as he promised, handed it

¹ Botts, in his dirty attack on Mr. Tyler, admits his authorship of the amendment. (Niles, lxiv., p. 216.) Nevertheless Clay, in his speech on the same, declared that, in introducing it to the notice of the Senate, the Whig senators had done so only to remove their own variances; that they had accordingly "conferred and consulted together, and interchanged opinions and views," but "had not looked beyond the Senate," and that "he did not know, had not wished to know, had not sought to know, the opinion of the chief of a co-ordinate branch of the government in respect to the proposition" of Botts. (*Cong. Globe*, First Session, 27th Cong., Append., 362.)

The history of the Botts amendment, as given in the *Madisonian*, and cited in John Tyler, Jr.'s, address, and endorsed by his father in his own statement, is as follows:

"During the pendency in the Senate of Mr. Clay's bank bill, it was ascertained that Messrs. Merrick, Preston, Rives and Archer would not sustain it without the insertion of such a modification as would reconcile it to the constitutional scruples of the President, and with their opposition it stood in a minority. At this juncture of affairs, Mr. John Minor Botts called upon the President with a paper, purporting to be such an amendment, which *he said* had been drawn up by himself, and thought would remove all difficulties upon the subject of a bank. After exacting from Mr. Botts the positive assurance that, if the amendment did not meet his approbation, *it should be destroyed and never more heard of*, the President took it, examined it, and instantaneously rejected it, with the emphatic declaration that he would inevitably veto any bill containing such a clause. Whereupon Mr. John Minor Botts reiterated his promise to destroy it, and retired. The President thought no more of the matter until a few days afterwards, when the Whig press was filled with laudations of Mr. Botts for having fallen upon this very expedient, and Mr. Clay subsequently offered it in the Senate chamber, substantially if not literally, as an amendment to his bill."

to Clay, who, on the 27th of July, with great apparent magnanimity, introduced it in the Senate as a substitute for the 16th fundamental rule of his bill. "It was well known," he said, "that the bill as it at present stands cannot pass this body, but will be rejected by a majority of twenty-six to twenty-five, if all the members be present." Therefore, for the good of the country and the Whig party, he and his friends had determined to sacrifice their own feelings and preferences, and give Mr. Rives and his friends all they wanted. In the same breath, however, it was affirmed that the power claimed by his side could never be entirely renounced or surrendered.

Mr. Rives replied, with great warmth, saying that the amendment of Mr. Clay paltered with them in a double sense; while Mr. Calhoun very aptly declared that the amendment was no compromise at all, but a thing of concession only. It was impossible to compromise on a constitutional question, for between an assent and dissent there was no possible middle point.

Nevertheless, the Whig senators very greedily seized upon the sop; and Merrick, Preston,¹ and Barrow took advantage of the lame apology to go along with the majority—a step to which they were induced by the representations of Botts that the amendment had actually received the approbation of the President.

What Whig testimony was worth was seen in the extravagant laudations showered upon Clay by the Whig press as soon as his ridiculous amendment was offered. The editorial of the *Richmond Whig* lies before me. Henry Clay is characterized in it as the "savior of the nation." "Where or how can the people cancel the debt of gratitude which they owe that wonderful man?" (!)

But even now the vote on the bill offered a striking commentary on Clay's claim that the nation had pronounced in favor of a Bank. The amendment was adopted by a minority-majority of twenty-five to twenty-four. Two of the States of the Union were

¹ Three days before Clay offered the Botts substitute, Wise wrote to Tucker concerning Preston as follows :

"WASHINGTON, July 21, 1841.

"I saw Preston yesterday, and he regrets his remissness in writing to you, and promises to redeem the past. His position is equivocal, and he is not heartily counted on by us."

not represented in Congress at all, and the votes of two senators who were present in the city were withheld because of disgust at the shameless subterfuge without which the votes of Merrick, Preston, and Barrow could not be secured for the bill.¹ The bill eventually passed the Senate, thus amended, by twenty-six to twenty-three.

In the House (to which the bill now went) Gilmer had the day before come to a full understanding with his "Whig friends." He had been for seven years a member of the Whig party, and had thought he understood their principles; but he said that he had been acting under some delusion, and now that they were all here together he wanted to tell them that they need not expect his co-operation if their object was a national bank or a disturbance of the compromise act :

He would tell gentlemen what the people did decide (in the canvass of 1840). They decided that there had been a wasteful administration of the people's money, and that there should be economy, not niggardly, but liberal economy in the public expenditures. They decided that there should be a responsibility of public officers to the laws and to the Constitution. They decided that there should be a reduction of the power and patronage of the executive branch of the government, and a restriction of all the departments of the government to the objects for which they were constituted. They decided that there should be *no proscription for opinion's sake*; and, sir, if there was one principle more strongly avowed than another during the last presidential contest, which echoed from one side of the continent to the other, it was that there should be no proscription for opinion's sake. And yet, said Mr. G., when we are assembled in grand council for the first time, what do we hear? Why, sir, we are to be proscribed for opinion's sake; for the sake of opinions which we always honestly, it may be ignorantly, entertained. I hope, said Mr. G., that we shall not exhibit the singular spectacle of the Whig party proscribing a Whig president for opinion's sake. It would indeed present a ludicrous spectacle to the people of the United States. The President of the United States has kept the faith he always professed; and if now you are disposed to quarrel with him because he, with those who think with him, has certain abstractions, and would not, after he got into power, turn Turk or Mahomedan, the sin will be yours. Let us, said Mr. G., say a word about abstractions. They are certain great principles which regulate the conduct of men, morally and politically. Mr. G. here gave a view of his political faith, and contrasted it with that of those who are in favor of a strong government, and who would accomplish the objects they have in view by construction, if they can do it by no other means. But these opinions, said Mr. G., may be regarded as abstractions. He feared that the Constitution itself might be regarded as an

¹ Wise's speech, *Congr. Globe*, 1841, Append., p. 414.

abstraction. The ten commandments—the New Testament on which the hopes of man here and hereafter are founded,—are a set of abstractions. The old adage that “honesty is the best policy,” is regarded by the highwayman as a miserable abstraction. There were many sorts of abstractions. There was one abstraction which guards the people's money in their treasury, and another abstraction which would abstract it from them without their consent. He was for the one and not for the other. He was amused yesterday to hear the gentleman from New Jersey (Mr. Halstead), in speaking of the administration of the venerable gentleman from Massachusetts, say that if that administration had been suffered to go on, we should have seen less of this, less of that, and less of the other, than we have seen. The gentleman termed the party who supported that administration as the Whig party. Now he, Mr. G., was always of opinion that the Whig party took its date from the year 1833. If it dated from 1828, the gentleman should remember that—

“In Adam's fall
We sinned all.”

If, indeed, the Whig party was of so early a date, the gentleman from Massachusetts was entitled to take the lead in it. He is entitled to lead here, and wherever it is avowed the party of 1828 was the Whig party. But let the gentleman remember that the excesses of the two last presidents had induced many of their friends to secede from them, and that the seceders from the Jackson and Van Buren ranks form the majority of the Whig party. We formed a union, said Mr. G., with the opposition party of that day, and though we differed with them about abstractions as we do now, he asked gentlemen, if our differences of opinion were thrown up to us when they were beating up for recruits? If the administration of the venerable gentleman from Massachusetts (Adams) was the commencement of the Whig party, how was it at the time of General Jackson's proclamation? Who were the Whigs then? He heard that the venerable gentleman was ready to buckle on his armor in support of the proclamation? What did gentlemen want? Did they want to form a new party? If so he was content, but they must not ask him to join them. He wanted the people of this country to know who it was who wanted to form a new party. Are the doctrines of 1828 and those of the gentleman from Massachusetts to prevail?

Will you, said he, take the principles avowed here by him, that by virtue of the treaty-making power every slave on this continent may be set free? It appeared that no man was now considered as sound in his political faith who would not vote for a Bank of the United States, for a distribution bill when the Treasury was empty, or a bankrupt law, when the government itself might be the first to take the benefit of it. Mr. G. said that a new party had been formed, and he was content. He would form no new party, but would rest himself on these abstractions; he should endeavor for one to carry out the principles which had been professed by the Whig party during the late presidential contest; these were practical enduring reform; and when he was told that because he would not change his opinions he would die of abstractions, he would answer that he would settle that matter with his constituents. He was at a loss to perceive how the people had approved in the

election of Harrison and Tyler what they condemned in the defeat of the gentleman from Massachusetts.

The lesson imparted by Gilmer was repeated by Wise, on the 6th of August, with scathing power. He reminded the House that in 1837 he had offered a resolution, similar to that proposed by Mr. Clay in the Senate at that time, affirming the expediency of a national bank, "whenever there was a clear manifestation of public sentiment in favor of such a measure"; that at the last session under Van Buren he had spoken for three days against this "called—this dog-day session," and had inveighed especially against the premature agitation of the national bank question. He was opposed to a national bank: first, because it was not an issue in the canvass of 1840; and secondly, because since that time the people had had no opportunity to express their minds upon it.

But we are told that the people have already decided this; that it was settled by an overwhelming majority in the last elections. I do not think so. . . . It [the election] rather embraced, I should say, fundamental questions of administrative policy. Everywhere, when I addressed the people, I urged upon them that banks, tariffs, public lands, and all mere issues of policy or construction, sunk into insignificance before the great social and moral principles involved in that struggle for reform. They were told everywhere that *common honesty, economy, public virtue, and official integrity and purity* were above all banks or other questions of that sort. And if called to say what was decided, my answer would be: "The people felt and were convinced that they were misgoverned and their power abused; that defalcations had become too common, corruption too much the order of the day; that economy and honesty were wanting, and that the leading measure of the then administration (the sub-treasury) was dangerous and despotic, and should be repealed; that they determined upon a *change* of servants, and to allow another set of men to try to *reform* abuses and right the ship of State—to try in their own way and to be responsible for their acts."

This was what was decided. And upon the party which the people brought into power I have a commentary to make. Its motto was "*Tippecanoe and Tyler too*." A friend remarked to me the other day that this motto proves "there is truth in poetry." It is the text to preach from. It describes the rationale of success in the election. It gives the stipulation of the bond of union among the Whigs. It indicates what were their differences and compromises; and lastly, what should be their course if they would be wise, and remain strong in place and in the confidence of the people.

Let us discuss the terms of this text. "*TIPPECANOE*." This term was the sign and representative of one class of politicians. It is true that it stood for the name of General Harrison. He originally had been a Jeffersonian Repub-

lian, and certainly in 1822 had expressly denied the constitutionality of a Bank of the United States. But afterwards he became united with what was thought to be the Federal or latitudinarian party in 1828; and he was the very first of that party, next to John Quincy Adams, whom General Jackson turned out of office by recalling him from a foreign mission. He thus became identified with the discarded coalition of that date. He never, so far as I knew, avowed any change in his opinion as to the constitutionality of the Bank. True, he did say that he would sign a charter whenever, or if it was made apparent, it was *necessary and proper*. So Mr. Jefferson himself said before him. But neither ever said, so far as I ever heard, he did think it necessary and proper, and that he would accordingly give it his sanction. But still, however doubtful or clear may have been his opinions, known or unknown, on this point, it is not to be disguised that in him were fixed the hopes of those in the Whig party who had been known as the *National Republicans* of 1828. "Tippecanoe," then, was not only another name for General Harrison, but it was the "*sign*" and watchword in this motto of that portion of the Whigs who had been but shortly before known as the *Nationals*.

The *Nationals*, in 1833, had dropped their name. Another would "smell as sweet." This they did because nullification, 1831-'32, and the removal of the deposits, in 1833, had driven off from the Jackson party a large portion of Republicans, with whom they wished to unite. The Jackson party had appropriated the name of *Democrat*; the retreating Republicans of 1833 would not endure the name of *Nationals*; the *Nationals* were glad enough to drop a name which had lost its odor, and the opposition, composed then of the two latter parties, united in a common cause upon the name *Whig*.

This union was not at first complete. There was from the beginning mutual jealousy and distrust. They could no more mix than "oil and vinegar." They fought in 1836 in different squads, the Republican Whigs under the banner of that *nomen venerabile*—that American Cato, and civilian and statesman, Hugh L. White; the National Whigs under the illustrious soldier, William Henry Harrison, and they were defeated. Defeat taught them that, to be strong, they must be undivided. And a new accession of strength coming in daily as auxiliaries, under the name of Conservatives, a party driven out by those whom they called the Loco-foco Destructives in the Van Buren party, coming out from among them, as the old song of Jawbone has it—

"One by one, and two by two"—

new hopes were revived, and a strong union was formed. It became my luck to describe that union. "A union of the Whigs for the sake of the Union," a sentiment by which I will stand, in the two senses I uttered it at first. "A union for the sake of the Union." Not a union for party, for proscription, for power; but a union holy and sacred, *for the good of the country*. Not a union for the sake of *one man*, in or out of the presidency, or his followers, *Nationals* or *Republicans* or *Conservative Whigs*, but a union for the sake of all three; and more, for the sake of all parties, embracing even *Locos* and *Destructives*! This was the patriotic sense and primary sense of that senti-

ment. And I have not departed from it in that sense and in no sense; for the second sense was not seen, and was a *party* sense. I meant for the sake of the *union* of the *Whigs*, as well as for the sake of the Union of the country, in a secondary sense. That is, that Whigs should really compromise their old feelings and sentiments, and not proscribe each other for the sake of remaining united. I meant that they should strive together to yield upon a common altar some portion of past differences, in order that they might derive strength and perpetuity of party from the bond of union. And this they each and all impliedly pledged themselves to do in the motto,

"Tippecanoe and Tyler too."

"TYLER TOO,"—These words were each significant. The word "Tippecanoe" preceded them because the Nationals were the more numerous portion of the Whigs. By numbers they were entitled to have their name to precede, their man to preside. But without "the Republican portion of the Whig party" they could not conquer, and therefore they were compelled to add to "Tippecanoe" the "Tyler too." *In hoc vince*. With this union—this combination—the various classes of Whigs did conquer. November came; the election decided their victory. The ides of March came, and "Tippecanoe" and "Tyler too" were installed.

And not only was "Tippecanoe" installed, but "Tyler too." Not only was "Tippecanoe" voted for, but "Tyler too." Not only were the principles of "Tippecanoe" to be respected and observed, but those of "Tyler too." And what were the principles of "Tyler too"? They were not left in doubt. They were Republican. They were the principles of "State-rights" and "strict construction;" they were opposed to the constitutionality of a Bank of the United States, of a protective tariff, and everything federal and latitudinarian. The stipulation, then, was not to deride and scoff at these principles, but to respect and cherish, and not destroy them; and the main stipulation was *not to press upon their advocates ultra issues of any kind, and then proscribe them for not deserting or for defending their principles*. This was the compromise, and the course was clear to be pursued. To take time for conciliation and for the maturity of measures, and not to hurry into a system to revolutionize the policy of the government too suddenly. The Republican Whigs were themselves divided into two classes on this subject: those who believed in the constitutionality of a bank charter, and those who did not. Of the former I was one; but though I had no scruples on the subject myself, I was never one of those who did not respect the scruples of others; and under the bonds of the Whig union, I for one feel bound and pledged to respect the scruples of the other—of "Tyler too."

"TYLER TOO" was the sign and representative of the "Republican portion of the Whig party." "*Tippecanoe*" is dead. "*Tyler too*" yet liveth, and the "Republican portion of the Whig party" has it in its own power to compel respect, if not toleration. Of "the Republican portion of the Whig party," and yet for the constitutionality of a United States Bank, I may well claim to be one of the fair arbiters of this vexed question. What do I say then? Do not press upon the "*Tylers too*" these ultra issues. If the Bank question is lost now, it will be for twenty years to come. This I

repeat, as I said it in January, 1841. Violate your pledges of 1840 to your compatriots in the struggle of that year, and you may lose this great and vital question for twenty years to come, and may be left as prostrate, supine, powerless and pitiless as you were in 1828. I beseech you not to adopt such doctrines and motives of conduct as are assigned in the national organ of the third instant.

But what security have we for the permanent ascendancy of the Whigs in the nation and in the public councils? Everything human, like everything else in nature, is subject to change. Beneath the influence of time and the elements, the most stately edifice crumbles into dust. The loftiest oak of the forest, when the tempest rises in its fury, is compelled to bow his stately head, and in spite of his "hundred arms so strong," to yield his leafy honors to the plain. Are we not subject also to moral tempests, as well as atmospheric? Have we not in our day experienced them? Have we not seen our brightest hopes blasted by them? Ought any great and good and valuable measure, that is now within our power, to be subjected to the hazard of a recurrence of such political revolutions as we have ourselves heretofore witnessed? Is it wise, is it *politic*, is it *SAFE* to put off to a future day a measure of such vast importance, and fraught with so much promise as that whose adoption we are urging, when we can now accomplish it. What is the meaning of this? Not "to make hay while the sun shines?" No. That is a wise and prudent maxim of the husbandman. But I hope it means not to *snatch*, whilst you have the power to do so, measures which the people may not approve. I oppose this heresy by the counter advice, to move cautiously and wait for the movements of the people. Snatch nothing from them, but abide their gracious pleasure to give.

The people have not yet decided this question in favor of the constitutionality of a Bank, and the President of the United States, in his message to us, says that they have expressly decided against its charter. But, say gentlemen, a president, believing both that a Bank is unconstitutional, and that the people too have decided against it, may *waire* the constitutional question, take that as no question, and upon the principle of "*stare decisis*," following the illustrious example of Mr. Madison, sign a charter or bill authorizing the charter of a national bank. Certainly a president *may* do this; but is he justifiable upon the principle assumed?

I do not pretend to say that Mr. Madison was not justifiable, because my opinion has ever been, and still is, that he had in fact changed his opinion in relation to the *propriety* and *necessity* and constitutionality of a United States Bank. I will not stop to show this from his writings; but I do undertake to say that he was justifiable upon no other ground than this.

In other words, if he had not in fact changed his opinion on the point of constitutionality, no principle of "*stare decisis*" could justify him in sanctioning what *he* still thought an unconstitutional law. I speak now in reference to his sanction, with his opinion still unchanged, still against the constitutionality of the law.

I say that no president, believing any law to be unconstitutional, is justifiable in conscience in sanctioning that law. The principle of "*stare decisis*"

cannot justify him. That principle cannot justify him, because it applies only, and can only apply, to the *execution* of laws by precedent, and not to the *passage* of laws.

On the same day the bill came to a vote in the House. If the tergiversation of the State-rights members in the Senate was calculated to excite surprise, nothing but disgust could be entertained at the facility with which, on this test case, those in the House who were loud in their protestations of State-rights only a few months before, put off their opinions as they would a holiday coat. Nisbet, of Georgia, who in 1839-'40 had declared his unalterable opposition to a Bank, and in 1840-'41 had pronounced himself a "strict-constructionist,—a very strict constructionist,—a Pharisee of the Pharisees,"—voted for the bill. So voted also Thomas Butler King, of the same State, who, on the 6th, "gave an ingenuous account of the change of his opinion from an undoubting conviction that a Bank was not essential to the regulation of the currency to a decision still more clear that it was." Habersham, Alford and Warren, the remaining Whig members of the Georgia delegation, whose record against the Bank we have noticed in another place,¹ followed the suit of Nisbet and King. What could be expected of the rest? Under these circumstances the Fiscal Bank received one hundred and twenty-eight votes as against ninety-seven, and went to the President.

What sort of a reception the bill would receive at Mr. Tyler's hands no man of any sense could doubt,—always excepting the politician, who never knows anything he does not want to know. It is true that the Whig papers just at this time made a rather weak attempt at an extra flourish of trumpets by way of congratulating the country on the auspicious result; but then the Democratic papers made a far more confident display of their convictions to the contrary. Indeed, for weeks the columns of the *Whig* and *Intelligencer* had admitted the certainty of a veto. Both admitted that the President was deeply committed against a Bank, and it was only by pointing to Madison's tergiversation in 1816, and the conduct of certain pronounced anti-Bank men since that day, that they could talk at all in words of encouragement to their readers; and both papers had strongly deprecated the introduction of Mr. Clay's bill in the place of Mr. Ewing's.

¹ See Vol. i., p. 614.

The severest condemnation of the bill came from the very enemies of the President. The House also had a Fiscal Bank bill of its own under consideration; and when in the Currency Committee, on the 19th July, Botts had offered his compromise section about the establishment of branches, it was "scouted" by the committee and "refused *viva voce*."¹ And so sickening was the dose that, when the Senate bill was voted on, Adams and Tom Marshall cast their votes against it, after having offered an amendment to strike out the so-called compromise. But what language could be stronger to condemn the rash and unscrupulous conduct of Clay to ruin his own party than that employed in Thomas Ewing's own letter of resignation, whose bill Clay had superseded, and who, though "knowing the extent to which the President was committed on the Bank question," actually acted as the amanuensis of Botts and Clay in the matter of the compromise amendment?² Ewing wrote as follows:

It is but just to you to say that the bill which first passed the two Houses of Congress, and which was returned with your objections, on the 16th of August, did never in its progress, so far as I know or believe, receive at any time either your express or implied assent. So far as that bill was known to me, or as I was consulted upon it, I endeavored to bring its provisions as nearly as possible to an accordance with what I understood to be your views, and rather *hoped* than *expected* your approval. I knew the extent to which you were committed on the question. I knew the pertinacity with which you adhered to your expressed opinions, and I dreaded from the first the most disastrous consequences, when the project of compromise which I presented at an early day was rejected by the Senate.

To this may be added so much of the statement of President

¹ Adams' Memoirs, x., pp. 509, 510. Botts, nevertheless, had the assurance to say in regard to this amendment and the President's veto message upon it: "The very measure of compromise, adopted against the wishes and judgment of every Whig in Congress, to please his (the President's) particular friends, who were generously inclined to interpose, and who incurred the hazard of sacrificing themselves to save him from the alternative of a veto he generously turns to his own advantage, lashes them across the face with the instruments they had thus furnished him, and then attempts to turn the whole party of friends who placed him in power into ridicule." (*Botts' Letter to the Public*, August 21, 1841.)

² On the 14th of August, Adams wrote in his "Diary": "Mr. Gales told me much about the abortive negotiations with the President to prevail on him to sign, or at least not to veto, the Bank bill. He says that the compromise clause, introduced at the last gasp in the Senate bill, was in the handwriting of Secretary Ewing." (*Memoirs*, x., pp. 531-'2.)

Tyler himself, as relates to the Fiscal Bank and as published in the *Madisonian*, April 23 and 25, 1845. It was drawn up by him at the time of the tariff bills in 1842, when the unconstitutional proceeding was taken of referring his veto message to a committee of the House, who, in their report, animadverted very bitterly and abusively upon his course as president. After-reflection induced the President to postpone the publication to a time when no imputation could be brought against him in connection with the election in 1844. There was something—as Mr. Tyler himself said—due to himself, and much more to the government over which he presided, to prevent him from entering the lists of personal controversy.

[THE PRESIDENT'S STATEMENT.]

I have remained silent amidst the war of obloquy which has been waged against me for the last twelve months. I felt that it would be unbecoming the individual who, by the regular forms of the Constitution, has been inducted into the presidential office, to enter into a personal controversy with retiring cabinet officers or others, who thought proper to indulge in vituperation and abuse, either from mistaken or corrupt motives. There was something due to the executive office itself; there was much more due to the country, which forbade the President from entering into a mere newspaper controversy, which, whatever might be the result, could not fail to diminish the respect entertained for the United States and their political institutions, in the estimation of all foreign governments. But these considerations no longer exist. The House of Representatives, through its appointed committee, and by the hands of an ex-President of the United States, now a member of that House, has seen cause to make a message sent into the House, and confined to a plain and unpretending statement of my reasons for disapproving of a certain bill, in strict accordance with the express requirements of the Constitution, and when it is to be presumed the House designed by such reference a deliberate examination merely into the sufficiency of the reasons assigned by the executive for not approving that bill, preparatory to its final vote upon it, and for its own enlightenment, the occasion of serious accusation, involving my motives of action, and arraigning me as a culprit at the bar of public opinion. How far this procedure, unknown as it is to the usages and customs of the country, can find its justification in the Constitution, I will not undertake the task of deciding. That Constitution has entrusted to the House of Representatives the powers to originate an impeachment against the President. Such impeachment is required to be tried before the most august tribunal known to our institutions. The Senate of the United States is converted into a hall of justice, and the chief-justice of the United States, clothed in his robes of office, is directed to preside over its deliberations. In the presence of such a court the voice of faction is silent, and its judgment of guilt or innocence is pronounced under the most solemn

sanctions of religion, of honor, and of law. To such a tribunal does the Constitution authorize the House of Representatives to carry up its accusations against such of the public functionaries as it may esteem guilty of high crimes and misdemeanors, and there may the accused be confronted with his accusers, and summon witnesses in his behalf. If such a proceeding had been adopted towards me, however unjust I might have regarded it, I should nevertheless have had an opportunity there to have vindicated my motives, and rescued my character from the imputations attempted to be cast upon it; and until that moment of trial had arrived, I should have bowed in profound silence to the majesty of the laws. But a course altogether different has been adopted. Instead of being arraigned before the Senate, I am arraigned before the public. An appeal is made to the people, with a view, as I am bound to suppose, to deprive me of public confidence in the administration of the government, and to deny me the boast of an honest name—a name transmitted me by honest parents, and regarded as my proudest inheritance. I shall, therefore, find my excuse, in venturing to address you, in the high character of my accusers (the House of Representatives), in the dignity of the office which I hold, and in the value which every man should attach, without regard to his station in life, to the respect and confidence of his fellow-citizens in his honor and integrity. I should have found no justification, nor even excuse, for the course I have adopted, if the accusations against me had been confined to the report of a committee of thirteen members, three of whom have dissented from the report of a majority, and that majority made up, as it is, of men whose business for the last twelve months has been to utter towards me the most abusive epithets—not so well calculated to injure me as to degrade themselves. But that report has been adopted by a majority of the House of Representatives, and I am therefore bound to regard it with a respect which I should not otherwise feel for it.

I am charged with having, in a weak and at the same time arbitrary spirit, opposed measures of legislation designed for the public good—and the narrative of my unpatriotic course dates back as far as the extra-session. The exercise of the qualified veto over the Bank bills of that session is cited as evidence beyond dispute of a wayward disposition, proceeding from motives so corrupt as to authorize impeachment, which for the present is only postponed. Now, why did the House stop at the extra-session? If my opinion as to the power of Congress to incorporate a national bank, as expressed at the extra-session, furnish evidence of corruption, what then becomes of my condition from the age of twenty-one up to that of fifty-two? The very first act of my public career was to introduce a resolution into the Virginia Legislature condemnatory of the course pursued by Messrs. Giles and Brent, the then senators from Virginia, for their course in the Senate in relation to the Bank of the United States. Those distinguished men had disobeyed the instructions of the Legislature of Virginia in regard to chartering a Bank; and, believing and declaring such charter to be unconstitutional, I moved a resolution of strong disapprobation of their course, which, in a different form, was adopted. In 1816, I was elected to the House of Representatives, and in 1819, in a speech still extant, I declared my opinion to be that the charter of the

Bank was granted in violation of the Constitution, and, for flagrant breaches of that charter, I voted for the issuing of a *scire facias* to rescind and annul that charter. True, I stood on that vote in a small minority, but I had the happiness to record my vote in the same column with General Harrison. In 1832, the Bank presented a petition for a re-charter, and I voted, as a member of the Senate, against it. And when the then President exerted the qualified veto over the bill, I sustained him by my vote in the Senate, of which body I was then a member. In 1833, in the speech made by me on the removal of the deposits, while I opposed that act as improper, I nevertheless reiterated the opinion so often expressed of the unconstitutionality of the Bank, and afterwards, in a report made to the Senate in 1834, the same opinion was repeated. Never for a moment since have I hesitated to express the opinion that Congress had no power to incorporate a national bank; and, during the late political contest, in letters written and in speeches made to popular bodies, the same opinion was repeatedly expressed. Why have I not been accused of impurity of motive for the opinions expressed and repeated upon all the multifarious occasions alluded to? Why am I arraigned for the maintenance of the same opinions at the extra session? If I was sincere in my convictions for twenty-five years, what rendered me so suddenly suspected, and how does it come to pass that I am charged with impure motives for the three months of July, August, and September, 1841? It will not be pretended that thirty years ago, foreseeing that the presidential office was to devolve upon me, I conceived the unpatriotic purpose of thwarting the designs of this present Congress upon the Bank question: and yet it would be as rational to conclude that this was the fact, as the inference actually drawn by the committee and adopted by the House.

So far from such a motive existing with me, a plain unvarnished statement of facts will demonstrate the reverse. Upon coming into the presidential office, I foresaw that the Bank question was designed to be made a prominent topic by the Whig party. Upon a review of the whole ground, and after a careful self-examination, I found that it would be utterly impossible for me, consistently with my solemn oath of office, to give my approval to a charter of incorporation similar to those which had previously existed. I did not think that Congress had power to create such an institution, and so I had always thought; and yet I felt the strongest desire to meet the wishes of the party which had brought me into power. The object of my most anxious efforts, therefore, was to find a common ground upon which all could meet, having due regard to the interests of the country, and without compromising any principle; and I flattered myself that that common ground had been found in an appeal to Congress, as the local legislature of the District of Columbia, in contradistinction to Congress as the national legislature. I saw no constitutional impediment in its way in creating a Bank, with any capital it might think proper, *for the District of Columbia*, and giving permission to the directors to establish a branch or branches *in each State with the assent of such State*. Consulting expediency, it seemed to me to be far better to exercise only so much power as appertained to every other local legislature, even if a broader power existed, and instead of agitat-

ing the country by the creation of an institution in the teeth of the opposition of a formidable party, who had raised the cry of repeal in advance of the action of Congress, to make the request directly to each State and to the people of each State, for leave to do that which, without their assent, I did not believe would constitutionally be done. I believed moreover, that, if all the States did not yield their assent, a sufficient number would do so to put the institution into operation, and that all of the good was to be produced by such an institution as from one claiming larger powers. I must here declare that, in submitting such a proposition to the members of the cabinet, my whole purpose and motive was to meet the wishes of the Whig party—a purpose and motive which continued afterwards to actuate me until it became obvious to me that my efforts in that direction were either misconstrued or designedly used to degrade, and if possible to destroy me. I had but little confidence in the efficacy of any bank to correct the disorders of the country; and I must be permitted now to declare that my firmest conviction now is, that if I could have sanctioned any charter, however broad and liberal the grant of power, no good would have resulted from it to the country. My reasons for this opinion it would be out of place for me here to urge. But others thought differently, and I was disposed to meet their wishes as far as I could. I was most happy in finding a co-operation in these views on the part of the cabinet; and when Congress met in May, the then Secretary of the Treasury, assisted in the work by the other members of the cabinet, had succeeded in elaborating a bill founded upon the principle which I have urged, viz.: A bank *for the District of Columbia*, with permission to the directors to establish a branch *in each State with the assent of such State*. I left the details almost entirely to be worked out by the members of the cabinet, having persuaded myself that there was nothing incompatible with the Constitution in the principle thus adopted, and having received the entire acquiescence of the cabinet in its adoption, I flattered myself that this, the greatest and most formidable difficulty in the way of a peaceful and tranquil administration, was overcome. Congress met, and the delusion soon passed away; obstacles were presented which neither the urgent solicitations of the cabinet nor my own entreaties—for I resorted to entreaties in the quarter from which a favorable response would have been decisive—were permitted to overcome. I repeat, I made my appeal in the strongest terms; I asked if it was possible that I could be required to surrender the consistency of my whole life on a great question of policy; and not only so, but whether the chief magistrate of the country, no matter how he became so, could be asked to commit a wanton and deliberate act of perjury.¹ The answer was soon furnished by the introduction of the Bank bill first reported to the Senate. The purpose seemed to be taken to force upon me, in opposition to all remonstrance and even supplication, a measure which it was thoroughly known I could not sanction. That purpose was for a moment resisted and arrested in the Senate. Mr. Clay's bill, as it was called, lingered in that body, and it

¹ This refers to Mr. Tyler's conversation with Mr. Clay at the beginning of the extra-session.

was clearly perceived that it could not pass. The expedient of an attempt at compromise was then resorted to, and a provision was introduced into the bill which, I have had reason since to know, was declared to relieve the bill from my objections to it. I have reason to believe that many members voted for it under that impression; and *yet this very proposition of amendment had been brought to me before it was offered, by no other than a prominent and distinguished member¹ of the very committee which now assails my motives*, and whose report has been adopted by the House, and was emphatically, unhesitatingly, and unequivocally rejected by me, with the positive declaration that its incorporation into the bill would ensure my negative. It was incorporated, in substance if not in words, and the veto followed. It was certainly supremely ridiculous in its terms; and yet, with full knowledge of this fact, and after receiving from me in a personal interview an explicit declaration that I could not approve such a provision, that very member unites with others in assailing my motives for rejecting a bill which he knew, before it came to me, I would not approve, and permits it to be said in the report to which he appends his signature, that that amendment was introduced into the bill for the purpose of obtaining for it my approval. How far this knowledge was possessed by others, I have no means now of determining; but I submit it to my countrymen to decide whether, in what I have stated, and in what actually occurred, there is to be found those manifestations of a purpose or a motive such as the report adopted by the House has laid to my charge—or whether there is not, in truth, upon the face of the whole transaction enough to induce the inference that there was, somewhere, a settled and deliberate purpose to evoke the veto.

¹ J. M. Botts.

CHAPTER III.

1841.

“‘Head him or die.’ Head John Tyler! Head the President of the United States? . . . My colleague says, ‘head him or die.’ Sir, he may die, but he will not head him.”—THOMAS W. GILMER, *in the House of Representatives*, September 10, 1841.

“They not only declined peremptorily to postpone the question, but with unexampled disregard of consequences, they urged it on to a decision, the second time. By this means, they not only gave the lie themselves to their pretended participation in the wishes of the President, but they also proved that they wished to force him to come to a final decision on the question, whether he would be directed by them in his economic policy, or whether he wished to have nothing more to do with them.”—I. R. H. VON HOLST, *Const. Hist.*, 1828-’46, p. 430.

VETO MESSAGE IN THE SENATE.—DEBATE POSTPONED.—PLANS FOR A NEW BANK.—DISCOUNTS AND EXCHANGES.—RIVES’ AND BAYARD’S AMENDMENTS.—THE FISCAL BANK.—STUART’S INTERVIEW WITH THE PRESIDENT.—PROGRESS OF THE CONSPIRACY.—THE PRESIDENT AND SERGEANT.—DEBATE IN THE SENATE ON THE VETO OF THE FISCAL BANK.—RIVES AND CLAY.—THE FISCAL CORPORATION BILL INTRODUCED INTO THE HOUSE.—ITS CHARACTER AS A NATIONAL BANK.—EFFORTS OF THE PRESIDENT TO PREVENT A RUPTURE.—PASSAGE OF THE FISCAL CORPORATION IN THE HOUSE.—THE PRESIDENT RENEWS HIS ENDEAVORS.—LETTER OF WISE.—MR. RIVES IN THE SENATE.—TRYING POSITION OF THE PRESIDENT.—HIS MORAL COURAGE.—VETOES THE FISCAL CORPORATION.—RESIGNATION OF THE CABINET.—NEW MINISTERS APPOINTED.—PRESIDENT TYLER ON THE WHIG CONSPIRACY.—HIS LETTER TO THE NORFOLK DEMOCRATIC ASSOCIATION.—TO ALEXANDER GARDINER.—HIS STATEMENT.—FINAL SEPARATION BETWEEN THE WHIGS AND THE PRESIDENT.

THE veto message of the President was sent to Congress on the 16th of August.¹ After its reading in the Senate, the excitement, which was intense, was manifested in the gallery by some slight disorder. Benton seized the opportunity to command the presiding officer to order the sergeant-at-arms to arrest “the Bank ruffians for insulting the President of the United States.” It was with difficulty that Mr. Rives and Mr. Buchanan could appease the indignation of this redoubtable champion of Mr. Tyler, who was now as contemptible in his adulation of the President as he was, when he came to write his “Thirty Years’ View,” meanly

¹ Senate Documents, 1841, Doc., [93.]

vindictive and untruthful. Mr. Robert J. Walker, the senator from Mississippi, observed that the veto message was nothing more than what he had predicted at the very commencement of the session, and recorded in the newspapers of the day.

But the debate on the message did not now occur. The resolution was taken of postponing discussion until three days later.

The meaning of this unusual action was, that the Whigs, having been disappointed in driving the President, were now busily engaged in devising a measure avowedly gotten up to "head" and "fasten" him. The silent wrath of Congress was to be kept suspended over Mr. Tyler's head, while all the arts of deceit and hypocrisy were to assist to draw him by some *hocus pocus* into a committal to an old-fashioned Bank of the United States.

In the opinion of Wise and others of the more impulsive of Mr. Tyler's friends, the Whigs had long ago forfeited any claims upon his confidence in the matter of the Bank. They urged that "the time for compromise was past,"¹ and that the sooner he reorganized his cabinet on a State-rights basis the better. But the President rightly considered, that as he owed his office to the Whig party, he could only be justified in cutting loose from them, when it should be finally evident that a further connection could only result in his ruin and humiliation. It was with this highly honorable spirit that he reluctantly induced himself to listen to the project of a new fiscal system.

In his speech on his amendment of July 1st, proposing the sixteenth fundamental rule of Ewing's Bank bill for that of Clay's, Mr. Rives had expatiated at length upon the history of the Bank question. The system proposed by Mr. Ewing was that of a District bank, having the restricted powers of a local bank in one of the States. The case of *Bank of Augusta vs. Earle*,² decided in 1839, was cited by Mr. Rives as covering the functions of such a corporation. The bank was to dwell in the District of Columbia "as the place of its creation." But this did not prevent it, any more than corporations created by State authority, from extending its operations, by branches or agencies, into the States of the Union with the assent of those States. In every such case the extra-territorial operation of the institution would be the result, not of any

¹ See page 53.

² 13 Peters' Supreme Court Reports, page 519.

intrinsic force derived from the act of incorporation, but of State assent, expressed or implied, permitting it to extend its operations within their limits. Only under the law of nations there was this difference in practice between operations of a corporation in local discounts and in foreign exchanges. In dealings in local discounts the formal assent of the foreign States wherein the dealings took place was necessary, while in the latter case the assent was presumed (till the contrary was declared) from the general comity of nations. The sixteenth fundamental rule of Mr. Ewing's project required the express assent of the States to the establishment of offices of discount and deposit, but it also contained an alternative proposition, authorizing the Bank "to employ, from time to time, any individual, agent, or any other bank or banks, to be approved by the Secretary of the Treasury, to manage and transact in the States the business as aforesaid, other than for the purposes of discount, and to perform the duties hereinafter required of said corporation, to be managed and transacted by such officers, under such agreements, and subject to such regulations, as they shall deem just and proper." As the Bank by its ninth rule was prohibited from dealing "in anything but promissory notes, *inland* bills of exchange, gold or silver coin, or bullion, goods, or lands purchased on execution, or taken *bona fide* in payment of debts or goods, which shall be the proceeds of its funds," it followed that the authority under the alternative proposition was confined merely to acting as the fiscal agent of the government in the way of collecting, safe-keeping, and disbursing the public moneys.¹

Five days after the proposal of Mr. Rives' amendment in the Senate, which, as we have seen, comprised the sixteenth funda-

¹ Ewing says that Mr. Tyler, in a conversation in the State department, gave his express approval to the sixteenth fundamental rule of his bill, and claims that this rule had the clause relating to exchanges, and the power to deal in exchange, as strongly developed as that of the Fiscal Corporation, whose veto preceded Ewing's resignation. Mr. Ewing does not say whether Mr. Tyler gave his approval to what was understood to be the *principle* of the rule, or the details on actual examination. But what barefaced impudence to assert, in the face of his provision confining the discounting of bills to *inland* bills, (*i. e.*, bills of the District of Columbia,) that his sixteenth rule was as extensive as that of Bayard's, which contemplated the establishment of regular agencies in the States, with *corporate* powers readily convertible into offices of discount and deposit. Dr. Von Holst makes the silly blunder of confining the imputed approval to the sixteenth section of Clay's project. (*Von Holst Const. Hist.*, 1828-1846, p. 426.)

mental rule of Ewing's bill, Richard H. Bayard, of Delaware, proposed a substitute in the form of a proposition which made it lawful "for the said corporation to establish agencies, *to consist of three or more persons*, or to employ any bank or banks, at any place or places they may deem proper, to perform the duties hereinafter required of the said corporation as the *fiscal agent* of the government, and to manage and transact the business of said corporation other than the ordinary business of discounting promissory notes; that is to say, the said corporation shall have the right, at such agencies, to receive deposits, to deal or trade in bills of exchange, gold or silver coin, or bullion, or goods or lands purchased on execution, or taken *bona fide* in payment for debts, or goods which shall be the proceeds of its lands, and to circulate its notes." It was further provided, that the agencies so constituted might be converted, in the discretion of the board of directors, into offices of discount and deposit, unless the Legislature of any particular State in which such agency should be established should, at its next session after such agency was established, dissent thereto.¹

¹ The sixteenth fundamental rule of Ewing's bill, and Bayard's substitute therefor, read as follows:

[SIXTEENTH FUNDAMENTAL RULE OF
EWING'S BILL.]

(*Rives' Amendment of July 1, 1841.*)

16. That the said corporation shall establish a competent office of discount and deposit in any State, by the assent of the legislature of such State, whenever the directors may think fit so to do; and when established, the office shall not be withdrawn without the assent of Congress; and the said corporation shall have power to commit the management of the said offices and the business thereof respectively to such persons and under such regulations as they shall deem proper, not being contrary to law or the constitution of the bank; or instead of establishing such offices, it shall be lawful for the directors of the said corporation, from time to time, to employ any individual, agent, or any other bank or banks, to be approved by the Secretary of the Treasury, at any place or places

[BAYARD'S SUBSTITUTE.]

16. It shall be lawful for the said corporation to establish agencies, to consist of three or more persons, or to employ any bank or banks, at any place or places they may deem proper, to perform the duties hereinafter required of the said corporation as the fiscal agent of the government, and to manage and transact the business of said corporation, other than the ordinary business of discounting promissory notes; that is to say, the said corporation shall have the right, at such agencies, to receive deposits, to deal or trade in bills of exchange, gold or silver coin, or bullion, or goods or lands purchased on execution, or taken *bona fide* in payment for debts, or goods which shall be the proceeds of its lands, and to circulate its notes. And, moreover, it shall be lawful for the said board of directors to convert such agencies into offices of

In one or more of the States,—Virginia for instance,—such agencies, involving corporate powers, as Mr. Bayard proposed to establish, were forbidden by law; and Mr. Tyler says that, in the conversations arising over the developments of the day, “he evermore insisted that, if power was given to a bank here to establish agencies in the States to deal in exchange, it must be upon the express condition that the same was not prohibited by the States,” since otherwise the powers of the corporation would have *per se* an extra-territorial operation. It was now that Mr. Rives, according to Mr. Wise, brought his influence to bear upon the President in the consideration of a project which should be entirely relieved of the feature of local discounts, and confined to dealing in exchange, under the limitations, nevertheless, of a local corporation. He proposed to allow the establishment of agencies in the States, authorized to deal in foreign exchanges, drawn in one State and payable in another,—these agencies to be controlled by the principle of the case of the *Bank of Augusta vs. Earle*.¹

With the single-hearted desire to meet the wishes of Mr. Rives and the Whigs, who, in anticipation of his first veto message, kept crowding to the White House with anxious enquiries as to what he would recommend, Mr. Tyler drew the outlines of such an exchange bank as would meet his cordial approval in his message dispatched to the Senate on the 16th of August. In this paper Mr. Tyler emphatically said, that he would never give his assent to any claim that Congress could create a national bank to operate *per se* over the Union. An authority conferred upon the Bank to deal in local discounts in the States implied such a power, and furnished the reason for his veto; but what, asked the President, on mere grounds of expediency, could local discounts of the bank have to do with collecting, safekeeping, and disbursing the public revenues, and incidentally regulating commerce and exchanges?

that they may deem safe and proper, to manage and transact the business proposed as aforesaid, other than for the purposes of discount, and to perform the duties hereinafter required of said corporation, to be managed and transacted by such officers, under such agreements and subject to such regulations as they shall deem just and proper.

discount and deposit, unless the legislature of any particular State in which such agency shall be established shall, at its next session, after such agency is established, express its dissent thereto.

¹ Seven Decades, p. 187.

(It would be just as natural to add a power to carry on the grocery business.) Operations in exchange could alone have any natural connection with the wants and requirements of the treasury and the currency of the country.

As a proof of the beneficial results of operations in exchange, Mr. Tyler pointed to the late Bank of the United States, which, during the first period of its existence, was a melancholy failure because of its transaction in local discounts, but which, after 1823, by dealing in exchanges, soon attained a condition of absolute prosperity.

On the adjournment of Congress, the day of the veto message, Mr. A. H. Stuart, of Virginia, appeared at the President's house with the amendment, already noted, of Mr. Bayard, modified so as to leave out the last clause, which authorized the conversion of the agencies into offices of discount on certain contingencies. The President received him kindly, and on learning the object of his visit took the paper containing the amendment and wrote on the margin a suitable limitation to the establishment of agencies, as proposed by Mr. Bayard, where such agencies were forbidden by the States.

A *fac simile* of the paper presented by Mr. Stuart will help the comprehension of the reader. It reads as follows :¹

TUESDAY, July 6, 1841.—The Senate resumed, as in committee of the whole, the consideration of the bill (S. 5) to incorporate the subscribers to the Fiscal Bank of the United States, together with the amendment proposed by Mr. Rives, the first instant.

On motion by Mr. Bayard, to amend the proposed amendment, by striking out all after line 180 of the 11th section to the word "proper," in line 201, in the same section, and in lieu thereof to insert :

16. It shall be lawful for the said corporation to establish agencies, to consist of three or more persons, or to employ any bank or banks, at any place or places they may deem proper, to perform the duties hereinafter required of the said corporation as the fiscal agent of the government, and to manage and transact the business of the said corporation, other than the ordinary business of discounting promissory notes. That is to say, the said corporation shall have the right at such agencies, to receive deposits, to deal or trade in bills of exchange, gold or silver coin, bullion, or goods or lands purchased on execution, or taken *bona fide* in payment for debts, or goods which shall be the proceeds of its lands, and to circulate its notes. [And, moreover, it shall be lawful for the said Board of Directors to convert such agencies in offices of dis-

¹ See the address of John Tyler, Jr.

count and deposit, unless the Legislature of any particular State in which such agency shall be established shall, at the next session after such agency is established, express its dissent thereto.]

The words from "and" to "thereto," within brackets, were erased with pen and ink.

In Mr. Stuart's hand-writing, on the lower margin of the page, were these words and figures, viz: "Capital \$15,000,000, to be increased at option of Congress when public interests require."

And on the inside margin, in the hand-writing of the President, with pencil, were the following words, "*In case such agencies are forbidden by the laws of the State.*"

From a note in pencil, it appears that these words written by the President were intended to come in after the word "or," and before the words "to employ any bank or banks, at any place or places they may deem proper," etc.

So that the amendment of Mr. Bayard, as altered by the President, read thus:

It shall be lawful for the said corporation to establish agencies, to consist of three or more persons, or *in case such agencies are forbidden by the laws of the State*, to employ any bank or banks, at any place or places they may deem proper, to perform the duties hereinafter required of the said corporation as the fiscal agent of the government, and to manage and transact the business of the said corporation other than the business of discounting promissory notes. That is to say, the said corporation shall have the right at such agencies to receive deposits, to deal or trade in bills of exchange, gold or silver coin, bullion, or goods, or lands purchased on execution or taken *bona fide* in payment for debts, or goods which shall be the proceeds of its lands, and to circulate its notes.

It is perfectly clear that the alteration made by the President was intended to preserve his original position,—that the institution should only be created, as for the District, by the local legislature of the District, with no powers other than were possessed by a local bank—situated, say, in England, and operating in France.¹

¹ Stuart himself admits this important fact—though he finds much to object to in the fact of the presence of a *Democratic* senator. His efforts to make the limitation of the agencies a subordinate idea in Mr. Tyler's mind is contradicted, not only by Mr. Tyler in his statement at the close of the chapter, but by all the circumstances of the case. He wrote as follows:

[STUART'S STATEMENT.]

"After the adjournment of the House (on the 16th of August), Mr. Pearce, of Maryland (then a representative in Congress, now a senator) called at my board-

One great recommendation in the nature of a compromise the new scheme undoubtedly possessed. Its powers emanated more freely from Congress than the vetoed bill, since in the one case a formal act of assent for branch offices was necessary on the part

ing-house, and informed me that he was induced to believe that there was still some hope of compromising the difficulties between Congress and the President, by adopting a bank bill on the basis of a proposition which had been submitted by Mr. Bayard (Richard H.) in the Senate, modified so as to leave out the last clause, which authorized the conversion of the agencies into offices of discount and deposit on certain contingencies. He produced to me a portion of the Senate journal, containing that proposition, with the obnoxious clause crossed out with ink; and requested me to visit the President and see if we could not adjust the difficulty. At first I declined, but at length yielded to his desire, and promised to do so. About five o'clock, I drove to the President's house, but found him engaged with a distinguished *Democratic* senator. This I thought rather a bad omen; but I made known my wish for a private audience, which in a few minutes was granted. This was the first occasion on which I had ventured to approach the President on the subject. I made known to him at once the object of my visit, and expressed the hope that some measure might be adopted to heal the division between himself and the Whig party in Congress. I informed him of the existence of the committee to which I referred, and mentioned the names of those who composed it, and relied on their age and known character for prudence and moderation, as the best guaranties of the conciliatory spirit of the Whig party in Congress. He seemed to meet me in the proper temper, and expressed the belief that a fair ground of compromise might yet be agreed upon. I then made known what I had heard of his opinions in regard to Mr. Bayard's proposition. He asked me if I had it with me? I replied in the affirmative, and produced the paper, which had been given to me by Mr. Pearce with the clause struck out, as above stated. He read it over carefully, and said it would do, making no objection whatever to the clause in regard to the establishment of agencies in the several States without their assent. But he said the capital was too large, and referred to Mr. Appleton and Mr. Jaudon as authority to prove that ten or fifteen millions would be enough. I objected that it might hereafter be found insufficient; and as the charter had twenty years to run, it might be as well to provide against a contingency which would leave the government dependent on the bank for permission to enlarge the capital; and to obviate the difficulty, I suggested the propriety of giving to Congress the power to increase it as the public exigencies should require. To this he assented; and by his direction I made the note on the margin of the paper; 'capital to be fifteen millions of dollars—to be increased at the option of Congress when public interests require.' The President then said: 'Now if you will send me this bill I will sign it in twenty-four hours.' (After informing the President that there was a statute in Virginia against establishing agencies of foreign banks in the State), he said, 'This must be provided for;' and he then took the paper and wrote on the margin the following words, which were to come in after the word 'or,' and before the word 'bank' in the first line of the proposition of Mr. Bayard, (the blank line in this paper), 'In case such agencies are forbidden by the laws of the State.' I remonstrated against this addition as unnecessary, and not meeting the objection; but he said: 'Let it stand for the

of the States, and in the other the assent was taken as implied, unless positively prohibited. The government might, independently of the States, act by officers, appointed or elected, or by agents already created or existing, and therefore "employ any bank or banks" to perform its duties of finance and revenue as permitted by the sixteenth fundamental rule of Ewing, and the alternative proposition of Bayard's amendment, as approved by the President in Stuart's hands, but could it establish in the State regular agencies,—however much confined to dealing in exchanges—which combined political powers and uses with individual and private powers and uses, against the express dissent of a State? The case cited of *Bank of Augusta vs. Earle* emphatically treated the States as sovereign communities. Consent was the very essence of sovereignty,—and any extraneous authority which presumed to act in defiance of that consent was a violation of the Constitution as interpreted by the Jeffersonian school.

But the Whigs affected not to understand this. They separated the two things,—the question of power and the subject of exchanges, and talked for all the world afterwards as if the only point in dispute had been exchanges *versus* local discounts, and not a local bank of the District of Columbia *versus* a national bank, having its main seat in the District. So Clay talked in his speech of the 19th of August on the Fiscal Bank veto, as if it was a matter of no essential difference whether Boston, New York, or Washington city was the place of location. The same may be said of the cabinet officers' letters of resignation. Not a word is hinted that the President had in mind a local bank.

The Whig work was *thorough*, and its secret mining sunk its shafts deep into the bitter waters. The deliberate intention had been formed, from an early day, to have the President committed to the new project by the concurrent statements of his most inveterate enemies, to set all of the Whig press upon him at a given moment, to secure the resignation of his cabinet, to overwhelm

present; I will think about it.' The President then instructed me to go to Mr. Webster, and have the bill prepared at once; and as I rose to leave him, after cautioning me not to expose him to the charge of dictating to Congress, he held my right-hand in his left, and raising his right-hand upwards, exclaimed with much feeling: 'Stuart! if you can be instrumental in passing this bill through Congress, I will esteem you the best friend I have on earth.' . . .

him with charges of treachery, and thereby drive him from the presidential chair, which would then be filled by Samuel L. Southard, the Whig president *pro tempore* of the Senate. This was a conspiracy of the most appalling character, attacking the honor, the good faith, the personal veracity, and the political future of the President, and before which any man of less moral courage than John Tyler would have succumbed. But the Whigs might have taken a lesson from the past, that the greater the whirlwind the more unbending he would become.

The first movement in this diabolical policy was a proposition made in the Whig caucus to revive the project of Ewing. According to the statement of the leading spirit in the business (Botts), it was not even hoped by the Whigs themselves that any stock would be subscribed to it. Never mind that! it was a cabinet measure, and therefore the President's; and it would do to "fasten him, and enable the Whigs afterwards to build up a bank on its foundation that would answer the purposes of the nation." This, according to Botts himself, who moved the proposition, was the avowed object.¹

We have seen that the President, in order to avoid the charge of dictating to Congress, as to which the Whigs were morbidly sensitive, had carefully avoided having anything to do with the details of Ewing's bill. *They* had been worked out by the Secretary of the Treasury himself, who reported it to Congress, and not to the President. Never having had himself any faith in any mere bank, especially one of local discounting, to correct the disorders of the currency, it did seem to the President a piece of sublime impudence for the Whigs to ask him now to approve a bill which Clay had denounced as a "rickety concern," which both parties had refused to touch, and as to which it was claimed by the Whigs themselves that its capital would not be taken.²

But the President had already, in his first veto message, committed himself to the country against the system of local discounting, and he thus entirely cut off the Whigs from the artful game

¹ Botts' Letter to the Public, *Richmond Whig*, August 27, 1841.

² "The committee believe that the capital of a Bank so constituted would never be taken; and that, if taken, the institution would be wholly unable to accomplish the great and salutary purposes for which it is desired and should be assigned." (*Clay's Report*, June 21, 1841, Senate Documents, 1841, Doc. [32.])

which was intended, but not matured, and scored victory number two.¹

But the Whigs would not yet acknowledge themselves vanquished. While *they* had never once acted in good faith, they could see that the President, while sharply on his guard, did really and truly desire a peaceful settlement of the question. They, therefore, made the best of their position, and turned all their secret batteries upon the recommendation of the President's message,—of a fiscal agent dealing in exchanges only.

Wise, as far back as the 24th of July, had noted the design of Clay to trump up in the House a similar Bank bill as was then before the Senate, and rush it through by virtue of the overwhelming majority possessed by the Whigs in that body, in order to overawe the executive and Senate, on the principle of the people's will. But the bill, after having been once introduced by John Sergeant, had hung suspended, waiting for the fate of the Senate bill under the patronage of Clay. The Whig caucus now prepared to carry the original design through.

On the 18th of August, Messrs. Sergeant and Berrien waited upon the President, as a deputation from the caucus, under the pretense of conforming this bill to the views of the President, as reported by Stuart and others. The President, however, remembering the way in which his conversation had been distorted by Botts in the matter of the compromise amendment, would hold no conversation with them upon the details of the bill, except through his cabinet officers.² That same day a cabinet council

¹ On the 16th of August, the day of the veto, a gentleman of the "strictest veracity" wrote the President: "The *caucus* last evening, after much disagreement, came to the resolution to pass a Bank bill on Mr. Ewing's plan. The *object seems to be your destruction and a dissolution of the cabinet*. They say that you and the cabinet stand pledged to support that scheme, and that you cannot now assent to it; ergo, a veto of that would place you fully in the arms of the Locos, and your cabinet would abandon you. This is the calculation. Mr. Russel and Mr. Taliaferro, of the House, are my informants. I understand you were denounced in the most unmeasured terms, by Mangum and Botts particularly. It is asserted confidently that Mr. Crittenden will resign." See *Madisonian Defense*.

² In weaving an argument out of the bitter statements of the cabinet officers to prove Mr. Tyler's "vacillation," Dr. Von Holst blunders in saying that Mr. Tyler had a "long consultation" with Sergeant and Berrien. (Const. Hist., 1828-'46, p. 427.) Both Ewing and Bell admit the contrary. Bell says: "The President commenced by stating that he had been waited upon that morning by a commit-

was held, in which the principle of the establishment of agencies was discussed, and Mr. Webster and Mr. Ewing were authorized by the President to confer with Messrs. Sergeant and Berrien, but instructed to keep him (the President) entirely uncommitted to the bill.¹

On the next day, the debate occurred in the Senate on the veto message. Mr. Clay exploded the vials of his wrath on the President's head.

The pent-up resentments of the session were made manifest in a torrent of magnificent invective and reproach. There were two alternatives, he said, to sending the Senate a veto. The President had only to retain the Fiscal Bank bill three days longer, and it would have been now a law without his sanction, by virtue of the provision which required its return within ten days. But there was another alternative. An immense majority of the nation—two-thirds—desire a Bank, and the President, who had been the conspicuous supporter of the doctrine of instructions, should obey the will of the nation. In the House of Representatives the Whig majority in favor of a Bank was one hundred and thirty-one to one hundred. If a constitutional objection stood in the way of obedience, why might not Mr. Tyler have followed his own example in 1836, and resigned?

tee of members of Congress, who desired to know his views upon the subject of a bank—such a one as he could sanction. He had given them no satisfaction upon that subject, but had informed them that he would first consult with his constitutional advisers—his cabinet—through whom he thought it most regular that his views should be communicated. He asked the opinion of his cabinet upon the correctness of the ground he had taken, remarking at the same time that the habit of expressing his views to members of Congress upon subjects of so much interest subjected him to *great embarrassment and much misrepresentation.*" (Statement of John Bell, *Niles'* lxi., p. 54.) To Von Holst's praise, however, he it said, he gives his opinion in favor of Mr. Tyler, on both the Fiscal Bank and Fiscal Corporation.

¹ "The President said he was then understood. He requested Mr. Webster particularly to communicate with the gentlemen who had waited upon him that morning, and to let them know the conclusions to which he had come. He also requested Mr. Ewing to aid in getting the subject properly before Congress. He requested that they would take care not to commit him by what they said to members of Congress to any intention to dictate to Congress. They might express their confidence and belief that such a bill as had just been agreed upon would receive his sanction. but *it should be as a matter of inference from his veto message and his general views. He also expressed a wish to see the bill before it was presented to the House, if it could be so managed.*" (Statement of John Bell.)

Mr. Rives replied to the speech of the senator from Kentucky. Born of wealthy parents, educated and bred as a statesman, cool and clear headed, familiar equally with constitutional law as with the history of his country, Mr. Rives, as a debater, was immeasurably superior to Mr. Clay. He could lay no claims to the full sounding voice of Mr. Clay, capable of any degree of modulation, nor to his commanding mien and impressive gestures, that thrilled and carried captive his audience. He addressed himself chiefly to the judgment of his hearers, and wielded the weapons of argument with telling power and force. In 1833, he had broken lances with Mr. Tyler in favor of the Force Bill; and now the singular spectacle was displayed of his acting the champion of the man against whom at that time he had been arrayed. Never before had Mr. Rives shown to better advantage in debate. "I was present," said the Honorable R. Barnwell Rhett, of South Carolina, "at that debate; and imposing and great as Mr. Clay always was in the Senate, he was more than matched by the dauntless energy and ability displayed by my honorable friend (Mr. Rives); and Mr. Clay seemed to be conscious of it. The truth was, the senator from Virginia had the right, I think, on his side, and wielded its weapons with a courage and force which won for him the admiration of all spectators."¹

Mr. Rives said that the present veto was no more than was to be expected from a man who, in 1833, had given the highest proof of his independence of party by voting in a minority of one in maintenance of his views of strict construction. He replied to the alternatives, suggested by Mr. Clay, as open to the President to avoid the use of the veto power. And first, he repelled the idea that the President should have kept the bill ten days, and thus have allowed it to become a law without his signature. John Tyler was not the man to shrink from responsibility. He would do his duty to his country and his God, fearless of any consequences that might ensue. He was proud to say for the President, that that alternative had never for a moment entered his mind; and he trusted that he never should see a son of that "Ancient Dominion" from which he derived his birth influenced by such

¹ Remarks of R. Barnwell Rhett, in the Confederate Congress, on the death of Ex-President Tyler, published by order of the Congress in pamphlet, with addresses of Rives, Hunter, and others, p. 37. (1862).

unworthy motives. As to the alternative of resigning, the senator must know that the President was an independent branch of the government as well as Congress, and was not called upon to resign because he differed in opinion with them. He was to look to their common constituency, the people of the United States, and had as much right to interpret their will, as a co-ordinate branch of the government. The accidental majority in the House in favor of the Bank was no sign to guide the action of the executive. The issue of "Bank or no Bank" had not entered into their election. Mr. Rives abundantly demonstrated this by going over the history of the canvass, and his own position in the past. Instead of a majority of the people at present being in favor of a national incorporation, Mr. Rives was certain that just the reverse was the case. In conclusion, Mr. Rives referred to the Fiscal Corporation bill now in process of construction, and warned the Whigs that "*he concluded from the language of the message, that, whether in reference to an exchange bank or a bank of discount, if it were intended to be pushed beyond a mere fiscal agency, and was to deal in exchanges generally by an extended operation through branches in the States, the President would hold the assent of the States to be necessary.*"¹

Mr. Clay rejoined in a speech, which became unusually impassioned towards its close, and in which he warmly denied the charge brought against him by Mr. Rives, that he had gone beyond the merits of the question to make "an open and violent attack on the President of the United States." He adverted to their long personal friendship, and declared it to be unimpaired (?) by what had transpired, and his desire for its long continuance; but mentioned a rumor of the existence of a "low, vulgar, and profligate cabal" which claimed to be the President's friends *par excellence*, and who surrounded and sought to guide him as a sort of second "kitchen cabinet,"—whose object was the dissolution of the Whig party, the dissolution of Congress, and a change in the whole face of the affairs of the country. These might whisper suspicions into the President's ears, and endeavor to pour poison into his heart with a view to separate him from Mr. Clay.

Mr. Rives replied at length to Mr. Clay, insisting that, notwith-

¹ Speech of Mr. Rives, *Congr. Globe*, First session, 27th Cong., Append., pp. 366-'68.

standing his qualifications, his speech was a severe and unwarrantable attack on the President of the United States. In the course of his remarks Mr. Rives said, with cutting force, that he had heard and knew nothing of the cabal to which the Senator from Kentucky alluded; but he had heard rumors of an organized legislative dictatorship sending deputations from this Capitol to the President of the United States, to bring him to terms and teach him his duty!

At the close of Mr. Rives' speech, Mr. Archer, the other Senator from Virginia, arose and warmly catechised Mr. Clay as to what he meant by the words "low, vulgar, and profligate cabal." Did he apply this language to either him or Mr. Rives? Mr. Clay excepted both. Mr. Archer then wanted to know whether Mr. Clay's language had reference to any of the Virginia members in the other House. In answer to this Mr. Clay said: "Mr. President, did I say one word about the colleagues of the gentleman? I said there was a cabal formed for the purpose of breaking down the present cabinet, and that cabal did not number a corporal's guard; but I did not say who that cabal was, and do not mean to be interrogated. Any member on this floor has a right to ask me if I alluded to him, but nobody else has. I spoke of *rumor* only."

Mr. Tyler's friends among the Whigs accepted the title of the "corporal's guard," which Mr. Clay covertly gave them on this occasion; and the subterfuge to which Mr. Archer forced Mr. Clay to resort in his reference to them afforded Mr. Wise, in his speech on the Fiscal Corporation, a fine opportunity to flay the "dictator" through the many ludicrous phases of "rumor," under which he represented him.

On the 20th of the month Mr. Sergeant moved, in the committee of the whole of the House of Representatives, to amend the Fiscal Bank bill reported from the currency committee, by striking out all after the enacting clause, and inserting the bill in his charge, which he called the "Fiscal Corporation," and on that very day Mr. Webster wrote the following note to the President as to his agency in the matter:¹

11 o'clock, August 20th.

MY DEAR SIR: I am promised a copy of the paper (the bill) by twelve o'clock, or a few minutes after, and have left a messenger to bring it immediately to

¹ See address of John Tyler, Jr.

me. It is uncertain whether anything will be done to-day, but I understand there is a strong desire for immediate action. The alterations which I suggested were assented to at once, so far as the gentleman himself was concerned to whom the suggestions were made. *I have done or said nothing as from you or by your authority, or implicating you in the slightest degree. If any measure pass, you will be perfectly free to exercise your constitutional power wholly uncommitted, except so far as may be gathered from your public and official acts.*

I am, most truly and faithfully, yours,

DANIEL WEBSTER.

Appended to this note were these remarks, in the President's hand-writing, made at the time: "*The alterations were of no moment, and affected no principle. The bill was to have been submitted for my alterations, and an opportunity to make them was not allowed.*" But, whether those alterations were of moment or not, they were Mr. Webster's own suggestions, as he states.

Mr. Rives, on the day before the introduction of the bill, had already, in his debate with Mr. Clay, warned the Whigs that the President would require the recognition of the assent of the States to agencies, if it were intended to push the exchange bank beyond a mere fiscal agent, and to invest it with a power to "deal in exchanges generally by an extended operation through branches in the States;" and now the same objection was made in the House by Proffit and Wise, only to be roared down, however, by cries of "order! order!" from the Whigs.¹

The precaution and honorable conduct of the President in this trying emergency cannot be too much admired. Ewing himself admits that the bill was to be submitted to Mr. Tyler for his amendments; but such submission was never made prior to its introduction in the House. Before any action had occurred on the bill, the President sent Henry A. Wise to distinctly inform Mr. Sergeant that he would not be held committed to the bill of the Fiscal Corporation, which the latter held in charge, unless it was modified so as to remove the constitutional objection. Mr. Wise says that the message was delivered on the day on which the bill was submitted to the House of Representatives. "Mr. Sergeant was fully informed of the President's views, bowed and went to his committee."²

The Fiscal Corporation had, in fact, scarcely more than a point

¹ *Congr. Globe*, 1841, page 364.

² *Seven Decades*, p. 189.

of resemblance to the idea prominent in the President's mind. It pretended to deal exclusively in exchanges, but it justified, in fact, the most obnoxious system of discounts, by prescribing no limit to the premium in the purchase of bills, or to the time the bills might run, or to their renewability. It rested on no actual exchange basis; and the drawer in one place might become the acceptor in another, and *vice versa*. A bill drawn at Philadelphia on Camden, New Jersey, at New York on a border town in New Jersey, at Cincinnati on Newport, in Kentucky, might, for anything in the bill to restrain it, become a mere matter of local accommodation. The bill copied certain essential features from Clay's edition of the Fiscal Bank bill. The Secretary's project permitted discounting in the District, and, on *principle*, there was no objection to this. But Clay's bill, which publicly challenged the issue of power, interdicted all discounting in the District, and forced it upon the States. So the Fiscal Corporation.¹

¹ Twenty-second fundamental rule of the Fiscal Corporation: "The directors of the said Corporation shall not, within the District of Columbia buy or discount any bill of exchange, nor make any loan, except it be a loan to the government of the United States according to the provisions of law."

Twenty-third fundamental rule of Clay's Fiscal Bank: "The directors of the said Bank shall not, within the District of Columbia, buy or discount any promissory note or bill of exchange, nor make any loan whatever, except it be a loan to the government of the United States, according to the provisions of law."

The true "inwardness" of the Fiscal Corporation can only be properly understood by comparing it with Clay's Fiscal Bank. Like Clay's, its connection with the District was scarcely more than a name. The States were, in fact, made the place of its existence. Even its title hid an argument for an old-fashioned Bank. The title of Ewing's bill was "An act to incorporate the subscribers to the Fiscal Bank of the United States." The title of the Fiscal Corporation did not repeat these terms, but read: "An act to provide for the better collection, safe-keeping and disbursement of the public revenue by means of a *corporation*, to be styled the *Fiscal Corporation of the United States*." The powers, functions and duties were those which pertained to the *collecting, keeping and disbursing* the *public* revenue. The means was a *corporation*, to be styled the Fiscal Corporation of the United States, created by Congress, in its character of a national legislature for the whole Union, to perform the *fiscal* purposes, meet the *fiscal* wants and exigencies, supply the *fiscal* uses and exert the *fiscal* agencies of the United States. (See second veto message.)

The names "Fiscal Bank" and "Fiscal Corporation" had originated with the cabinet. The President had suggested the incorporation of a District bank, and insisted that, in relation to the Union, the *thing* could not be considered a corporation, but a mere "*fiscal agent*." The pusillanimous cabinet, unable to be wholly generous, had split the difference and dubbed the bills as above described. Still, the names would have been tolerable if the details had been unobjectionable.

And in lacking the amendment which Mr. Tyler had suggested to Mr. Stuart, relative to the establishment of agencies, the most express prohibition to the contrary of sovereign States, recognized as such by the Supreme Court, went as nothing in the teeth of its provisions.

Mr. Tyler says that his objections to the bill were communicated to many members of the House on the very night of the day on which the bill was reported to the House. To Mr. Sergeant he sent a second message, through Mr. Williams, of Connecticut, and Mr. Gregg, of New York, expressive of his anxiety to see him,—that he could not sanction the bill he had reported without an amendment. To all other members who fell in his way a similar communication was made; to some he gave an amendment which, if adopted, would have removed the constitutional difficulty.

But this was not all the evidence that Mr. Tyler offered of good faith. While disposed to do everything that could gratify the Whigs, provided his principles were not sacrificed, Mr. Tyler could not but regret the excitement of feeling which was too plainly manifested in political circles. He feared, from the first, a state of mind which would lead to hasty counsels and induce a course on the part of those who differed with him which time and greater deliberation would operate to prevent. From a schism in the party he himself had everything to lose. No one had less to expect from the opposite party, since no one had opposed them more bitterly in their corrupt career under Van Buren; and his approval at this session of all the party measures other than the Bank could certainly promise him no hold upon their affections. On the other hand, a successful, harmonious administration, in co-operation with the Whig party, was full of brilliant future promise to himself.

In all the interviews, therefore, with the Whig leaders, in the incipency of the measure of the Fiscal Corporation, he constantly counseled postponement to the next regular session.¹ After this

¹ In his letter of August 25th, to the senators from Massachusetts, Mr. Webster said: "But I know that the President has been greatly troubled in regard to the former bill, being desirous on one hand to meet the wishes of his friends, if he could, and on the other to do justice to his own opinions. Having returned this first bill with his objections, a new one was presented in the House and appeared to be making rapid progress. I know the President regretted this, and wished

manner he strongly expressed himself at the cabinet meeting on the 18th. On the 19th, Mr. Rives, in the Senate, urged the same view upon Congress. The answer was given in the brutal way in which the "Fiscal Corporation," despite the protests of the "corporal's guard," was shot through the House. "When the House took up the bill again, on Saturday, the 21st of August, Sergeant moved to close the debates at four o'clock that day. This wild chase would not have been possible with an independent bill, since by the rules of the House each bill has to be read three times, and each reading to be had on a different day. When Roosevelt, of New York, pilloried this party tyranny by the motion to substitute the word "immediately" for four o'clock, Sergeant extended the time to Monday at four o'clock. The scandal was thus modified somewhat, but nothing changed in the matter. Rhett, of South Carolina, asked leave to abstain from voting, and based his request on the declaration that in the case of a bill of the greatest importance, thirty-eight pages long, this mode of procedure was a virtual destruction of the constitutional right of discussion. But the majority did not permit themselves to be misled. They closed the debate on Monday (the 23d), as the clock struck four, after the greater part of the short space of time had been taken up by speakers from among themselves." Every effort at amendment made by the President's friends in the House, to conform the bill to his known views, was voted down with tumult.

The bill went up to the Senate, and was there referred to a special committee, appointed by Southard, the president of that body, and composed entirely of friends to the Bank law,—a course for which fifty years' history of the Senate "furnished but one single precedent." The President renewed his efforts to have the bill postponed. Mr. Webster cordially aided him in this endeavor, both by personal solicitation and by means of a formal letter addressed to the senators from Massachusetts, and published on a call from Thomas Allen, editor of the *Madisonian*. The only condition on which the Clay Whigs would consent to a postponement, as made by them through Mr. Cushing, was that the Pre-

the whole subject might have been postponed. At the same time I believe he was disposed to consider calmly and conscientiously whatever other measures might have been presented to him." (Niles, lxi., p. 55.)

sident should promise that he would make no hostile move towards his cabinet in the interim before Congress reassembled. This disgusting advancement, which Mr. Ewing himself admits, was repelled by Mr. Tyler with loathing and scorn. His reply, as returned to the Whigs several days before the cabinet resignations, was, that he regarded the proposition as a direct attempt at encroachment upon the executive. Its effect was to identify the members of the cabinet, whose places were deemed in jeopardy, with Mr. Tyler's enemies in Congress, and to deprive him of control over the members of his own political family.

On the 29th of August, the day before Mr. Berrien, as the head of the committee in the Senate appointed to consider the Fiscal Corporation, reported it to that body, Mr. Wise wrote to Judge Tucker:

[WISE TO TUCKER.]

WASHINGTON, Aug. 29, 1841.

MY DEAR SIR: I have been too hard pressed to write you a line. I am now clearing the decks, and am afraid the *action* will catch me in disorder. A word only, therefore. And let me first say, what should always be first in a man's heart and mind—luck to you for the blessing of another child born to you! It is luck; it is a blessing. I would I had *ninety-nine boys*, and the *two little girls* I now have! The parish would then be bound to support them; the government might vote a pension, and at all events I should be happier the more living monuments there were around me.

Your piece in brackets don't hit one point—the important one of *keeping the taxes uniform*. Can the government do that without a corporation of some sort to regulate exchanges? I mean no more than a question—not to discuss with you, and I mean any way to go along with Tyler. He shall see your views. Here, too, let me simply say, I don't see my error as to the executive duty. I have studied that point well. The oath *does* control *all* the executive functions. His oath obliges him to execute *what* the legislative and judiciary departments have made and adjudged to be laws. The question you put as to a limitation on the veto power comes within my distinctions on the question. Future presidents would not, could not, be bound, because the veto pertains to the passage of a law. I think the *courts* might decide that the President shall *execute* a law. Such is their chief end and purpose, and that they might execute it for him in some cases. But I must arrest debate.

Everett will not be confirmed. Clay will try to make capital out of his rejection. I don't think that Tyler can well tender the mission to a Virginian. We are on the eve of a cabinet rupture. With some of them we want to part friendly. We can part friendly with Webster by sending him to England. Let us, for God's sake, get rid of him on the best terms we can. But for this I would go in for Upshur's nomination.

The *Fiscal Corporation* has left our House. It will be reported, without material amendment, to-morrow in the Senate. It will be pushed through, and will be vetoed.¹ Tyler is more firm than ever. No amendment whatever is advisable coming from his friends now. Time is everything to a scheme, however good. Wait until *all* are looking around to see what can be done before yours or any other plan is even suggested. A *second* veto will strengthen him. Ten days will bring about the denouément. My health is better, and I am, yours truly,

HENRY A. WISE.

N. B.—It is well you did not come on. They have got *Dew into the kitchen cabinet!*

On the next day the Fiscal Corporation was reported to the Senate. How far superior Mr. Rives was to the “stuff” out of which the average senator is made, had been shown more conclusively than ever by the results of a vote taken previously on the 11th of the month, on an amendment to the bill repealing the Independent Treasury, as it came back from the House amended by a resolution altogether like that proposed by Mr. Clay on the 7th of June, repealing the act of 1836, “to regulate the deposits of the public money.” In June, not only Rives, but Archer, Barrow, Berrien, Merrick, and Preston opposed the motion, which left the revenues in the naked keeping of the President. In August, of these, Archer, the other senator from Virginia, alone stood by Rives in resisting the repeal. Now on the Fiscal Corporation even Archer cowed under the party lash, and went along with the sorry crowd.

Mr. Rives was left alone, with the Democrats, in his support of Mr. Tyler. The time had passed for amendments, but Mr. Rives took occasion to point out the precise difference between the principles involved in both his proposition, offered as an amendment to the Fiscal Bank bill in the words of the sixteenth fundamental rule of Ewing’s project, and the veto message of the President, and the bill then under consideration. His amendment forbade “local discounting,” and not merely the discounting of *promissory notes*; whereas this bill authorized to any extent the discounting of bills of exchange, for there was essentially no difference between discounting a promissory note, not due for a given time, and advancing money on a bill, drawn by one person on another,

¹ The Washington correspondent of the *Whig* wrote, August 28, 1841: “The political horizon is overcast with gloom, and clouds and darkness rest upon all our prospects. It has ceased to be a matter of speculation whether the President will veto the Bank bill. That question is well settled in the affirmative.”

and not payable till a distant day, deducting the interest on the money advanced for the time the bill has to run to maturity:

The meaning of his proposition, and he felt convinced no other meaning could be given to the expressions in the President's message, was to limit the Bank to "dealing in exchanges;" that is, purchasing or selling cash drafts payable on demand, and drawn in one place but payable in another, thus facilitating and equalizing as near as possible the exchanges of the country. This was the understanding in all foreign countries of the term "dealing in exchanges," and did not include *dealing in bills of exchange, payable at a distant day*.

Another essential difference between his (Mr. R's) proposition and the principle of this bill, was that this bill assumes a right of establishing agencies in the several States, provided they limit their banking operation to dealing in foreign bills of exchange, or bills of exchange drawn in one State or territory, and payable in another; whereas his proposition required the assent of the States to the establishment of agencies within their borders. Unless these two features of the present bill were changed, and made to conform to his proposition, he could not vote for it.

The bill passed the Senate by twenty-seven to twenty-two. On the 5th Wise wrote to Tucker: "The Fiscal Corporation has gone to Tyler. He is firm, and will give it a quietus forever."

The climax of the session had at length arrived. The Whigs had laid their mines in all directions under the executive, and they now, at a given signal, applied the match. "The war upon Mr. Tyler became appalling." The papers burst out into a tirade of vituperation and invective; the fires of a thousand effigies lighted the streets of the various cities; Whig orators and politicians vied with one another in casting at him the filth and garbage of falsehood and defamation; hundreds of letters were received and opened by the President's private secretary threatening him with certain assassination;¹ threats and adjurations were addressed to him by numberless Whig deputations to approve the Fiscal Corporation; the terrors of being left alone in the administration of the government, and of being gibbeted by public disclosures from his cabinet advisers, were proclaimed to drive him

¹ Thus Letcher wrote to Crittenden, September 8, 1841: "I received a letter this morning, from a man in Russell county, asking me if I thought it would be an unpardonable sin to go to the city and kill him (Tyler); the fellow wrote as if he thought he had a call to put him to death. Another writes me to call the Legislature together for the purpose of passing a commonwealth's bank and damning John Tyler." (Coleman's Crittenden, i, p. 164.)

into submission or resignation! All in vain! In the face of a conspiracy that dared him to go contrary to an understanding which it was alleged he had had with his cabinet; in the face of the secret whisper, the open libel, and the profligate falsehood, that put language on his lips that he never uttered, and motives in his heart that never entered that sacred tabernacle, the President, with nerves apparently of laminated steel, and courage of twisted and corded strength, signed his name, on the 9th of September, 1841, to his second veto message. "This proved," cries Wise, "that he was no nose of wax, but a firm, immovable lover of the Constitution, a fearless patriot, a wise and sagacious statesman, and an honest man!"

The witty Proffit charged the Whigs with looking only to "President-making." The cooing Crittenden drew kaleidoscope pictures before the president-sick eyes of Clay; but President Tyler, with the sensitive feelings of a gentleman and the high and lofty action of a lover of his country, "making neither a sacrifice of his duty or his conscience by signing a bank bill or in retaining his cabinet," put the character of his motives above aspersion by voluntarily making the proposition, at the cabinet meeting at which the last veto message was considered, that he would publicly abdicate all pretensions and aspirations to the succession; and yet every member present advised against any such announcement!

The *dénouement* ran its course rapidly. Gilmer, on the 10th of September, in ringing the changes on "head him or die," in reply to Botts' scurrilous harangue on the second veto message, spoke of a rumor that was current, that the President was to retire from office, and that Congress was to vote him a hundred thousand dollars to get him to do so. Tallmadge, of New York, who only four years before (in 1837) had voted with Rives in favor of the resolution of the Senate Finance Committee, that "it was inexpedient to establish a national bank," undertook, in a letter of the 9th of September, to lecture the President as to the danger and impropriety of a veto.¹ Botts, in a letter of August 10th, had asked the President whether a veto would not compel the cabinet's resignation, and force a like course from himself. Clay had sug-

¹ Niles, lxi., p. 108.

gested, in his speech on the first veto, the alternative of the President's resigning to vetoing. Archer, who, on the second Bank bill—"weak, but not wicked"—had gone with the Whigs, had privately told the President he must resign; and now, as the clinching argument of this resignation policy, which received the endorsement of the whole mass of the *ultra* press, and was the universal subject of talk among the Whigs at the time, four members of the cabinet, on the 11th of September, handed in their resignation. These were Ewing, Bell, Badger, and Crittenden.

Ewing was the man who, in the canvass, had written a letter scoffing at the idea that the Bank question was an issue. Bell was an old Jackson man, who, in 1832, had voted against a re-charter of the Bank, and in 1834 in favor of the House resolution condemning the Bank as unconstitutional. In 1836 he had been a leader in the White movement in Tennessee, and in 1837 had submitted, as an amendment to the report of the Finance Committee on the Bank petitions, a provision equally denouncing the sub-treasury and national bank, and government bank as "inconsistent with the spirit of a free constitution and dangerous to the liberties of the country." Badger, during the late canvass, in an address to the people of North Carolina, had denied indignantly that Harrison was a Bank man. Crittenden,—well, we shall have something to say a little later of a certain letter of his, dated the 16th of August, 1841.

The first three of these spread before the people long and rancorous statements, giving contradictory and garbled accounts of the cabinet meeting of the 18th of August. "It was a Clay movement," said Webster, "to make up an issue before the people against Tyler."¹ Granger, the postmaster-general, who refused at first to join the other four, was finally induced to go along. Webster was urged to resign also, and "it was declared to him," says Mr. Tyler, "that if he would resign I would necessarily have to vacate the government by Saturday night."

Instead of waiting until after the adjournment of Congress, which had been fixed for Monday, the 13th, when the President could have taken his time in filling the vacancies, the retiring secretaries resigned on Saturday, the 11th, necessitating nominations immediately. The 12th was Sunday. "The President,"

¹ J. Q. Adams' Mem., xi., p. 14.

wrote Crittenden exultingly, "will have hard work to make up a cabinet which will please the Senate."¹

But the conspirators calculated without their host ! The mines which they had so industriously laid, exploded ; but they served only to blow their authors into "smithereens." The President maintained his position successfully, and against every machination. Among the State-rights Whigs throughout the country, whose views on political questions were similar to his own, were men of far greater mental and moral calibre than those who had yielded to party dictates. The President immediately submitted to the Senate, on Monday, a list of names which they dared not reject. An instance of like promptness had never before, and has never since, been manifested in our annals.

The following emanations from Mr. Tyler's pen, written at different times, explain in his own words the conspiracy that assailed him on the second Bank bill :

[EXTRACT FROM A LETTER ADDRESSED BY PRESIDENT TYLER TO THE NORFOLK DEMOCRATIC ASSOCIATION, DATED SEPTEMBER 2, 1844.]

The voice of prophecy uttered by one of your fellow-citizens, (whose exalted talents, united with the highest moral and political worth, has won for his name a high distinction,) indulged, anterior to the election of 1840, in predictions which were but too near being realized. Anticipating the election of General Harrison and myself—the probable demise of General Harrison from his advanced age, and my succession as the vice-president—he drew, in the fall of 1840, a fearful picture to myself of what would be my situation on the occurrence of such contingencies. He spoke of violent assaults to be made upon me unless I yielded my conscience, judgment—everything, into the hands of the political managers. He depicted fearful combinations which I would have to encounter, and even anticipated my resignation as a measure to be forced upon me. How near these predictions were being realized the country has had fair opportunity to know. Because I would not sanction measures which, to have sanctioned with my opinions concerning them, would have covered me with disgrace, I was loudly denounced ; my name rendered a by-word of reproach ; the harshest and foulest abuse cast upon me by an affiliated press ; and burning effigies made to reflect their light along the streets of our cities.

¹ Crittenden to R. P. Letcher, September 11, 1841 : "The President will have hard work to make up a cabinet which will please the Senate. As the time is but short, he will probably have to revert to the alternative of nominating unexceptionable individuals at a distance ; if they do not accept, he gains time, and may supply the vacancies in the absence of the Senate." (*Coleman's Crittenden*, i., p. 166.)

² Mr. Tazewell.

All this was accompanied by the resignation of an entire cabinet save a single member, and but few hours allowed me, under the Constitution, to fill their vacancies. Let it be borne in mind that all vacancies occurring during the session of the Senate must be filled before its adjournment, and cannot afterwards; that Congress had agreed to adjourn on Monday at two o'clock P. M., and that the last resignation of five cabinet officers occurred at five o'clock P. M. on Saturday preceding, the earliest having taken place at half-past twelve of the same day. The almost entire work of reorganizing the cabinet was thus to be accomplished by a "president without a party," who, it had been confidently asserted, could not procure the aid of another cabinet in the administration of the government in the short period which remained of the session of Congress. If the highly moral sensibilities of the five could have been satisfied by a delay of their resignation until Tuesday morning, of two days only, a larger opportunity would have been afforded me of performing the work of making an almost entire cabinet, which had required on the part of my predecessors months to adjust. The veto message had gone in for some days, yet they did not resign earlier than Saturday, thus leaving the shortest possible time within which to surround myself with new advisers.

To a majority of the cabinet I had submitted in solemn form the propriety of my announcing, in connection with my veto message, a formal renunciation of all connection of my name with the matter of the succession, and they had advised unanimously against it; and yet immediately thereafter their resignations followed, and my motives were publicly assailed by some of these very advisers who thus availed themselves of the fact that there was at that time but a single press, with a limited circulation, through which their assaults could be repelled. I leave others to canvass motives. I state but facts. There can be but little difficulty in drawing inferences. I felt that a high and solemn duty had devolved upon me. My resignation would amount to a declaration to the world that our system of government had failed, from the fact that the provision made for the death of the President was either so defective as to merge all executive powers in the legislative branch of the government, by making the succession the mere instrument of their will, or, by forcing him to give way before the embarrassments of his position, devolve the government on another, the remotest probability of whose succession had not been looked to by the people during the elections, and who would therefore be more feeble and impotent in the exercise of an independent mind and judgment than a vice-president. I considered the path of my duty was clearly marked out before me, and I resolved to pursue it.

I have been reared in the vicinity of Norfolk and Portsmouth. Many of their citizens have known me from early youth. *They knew*—I feel a proud consciousness of the fact—that dishonor could never attach itself to my character or conduct. They vindicated me then, and by their resolutions, they avow publicly their opinions. The termination of my labors is near at hand; the experiment has been fairly made, and I shall, under Providence, leave the government, to those who may come after me, in all its different departments unimpaired in all its energies, and unaltered in its letter or true import. I am content.

[TO ALEXANDER GARDINER.]

SHERWOOD FOREST, May 6, 1845.

MY DEAR SIR: The article in the *Aristidian*, before I knew the author, had attracted my attention. It is a deserved castigation, but altogether a mild one, of Mr. O'Sullivan, for his infamous article in the *Democratic Review*. Mr. O'Sullivan might, if prudence dictated it, be challenged into a comparison of Mr. Van Buren's administration with that which has but recently closed. A deranged currency, a bankrupt people, and an empty treasury, with a host of defaulters and public plunderers, would mark the first, while the very opposite would characterize the last. The time for running the contrast has not yet come, but these miserable pretenders to patriotism and democracy may force it to be drawn at an early day.

I design only, however, at this time to correct an error into which the writer for the *Aristidian* has fallen, and which may not possibly be known to yourself, whom I would most gladly possess of every important fact of my not uneventful history. The writer states, when speaking of the resignation of the first cabinet, that Congress had resolved to adjourn on *Tuesday*, and that the first resignation of a cabinet officer occurred on the Thursday preceding. Now the fact was that Congress resolved to adjourn at *two o'clock on Monday*, and that the first resignation occurred at half after twelve, and the last at five o'clock on *Saturday*—thus leaving the shortest possible interval to fill five cabinet vacancies. On the Thursday preceding, Badger gave a supper, to which the members of the cabinet were invited. All were present except Webster. Clay was also in attendance. Bell was restive, but finally agreed to resign with the others, and to make common war. Webster had been urged to join them; and it was declared to him, that if he would resign I would necessarily have to vacate the government by Saturday night, and thus Whig rule be thoroughly re-established. He had too much sagacity not to see that the rule sought to be established was *Clay rule* only, and nothing more. They would, however, have been mistaken, even if Webster had been weak enough to fall into their snare. A Secretary of State, and an able one, would have been obtained in time to have saved the government from anarchy. I thought you might be interested in this narrative, and therefore have inflicted it upon you.

Have you seen a speech which is in course of publication, delivered by John Tyler, Jr., during the late canvass? ¹ In a few days I expect a copy in pamphlet, and will send it. Would not the Wall-street *Reporter* publish it? Do see the editor, and ask him to forward his paper?

Julia writes all the gossip, and I have only to salute you, and wish you all health and happiness.

Truly and faithfully yours,

J. TYLER.

¹ This is the address of John Tyler, Jr., so frequently cited.

[EXTRACT FROM THE PRESIDENT'S STATEMENT, IN ANSWER TO THE REPORT OF THE HOUSE COMMITTEE, IN AUGUST, 1842, PUBLISHED IN THE ADDRESS OF JOHN TYLER, JR., WASHINGTON *Madisonian*, APRIL 23 AND 25, 1845.]¹

In regard to the second bill, the report uses the following language: "A second attempt ensued, under a sense of the indispensable necessity of a *fiscal corporation* to the revenues and credit of the nation, to prepare an act to which an informal intercourse and communication between a member of the House charged with the duty of preparing the bill, and the President of the United States himself, might secure, by a compliance with his opinions, a pledge in advance of his approval of the bill, when it should be presented to him. *That pledge was obtained—the bill was presented to him in the very terms which he had prescribed as necessary to obtain his sanction, and it met the same fate with its predecessor.*" What member of the House employed to prepare the bill, will endorse this statement? Mr. Sergeant did, as I am informed, prepare the bill, but I have confidence in his honor and integrity, and without having had any intercourse with him, I hazard nothing in denying this statement. Mr. Sergeant's statement is already before the public; he asserts nothing like it; but on the contrary, declares that I would hold no communication with him and Messrs. Berrien and Dawson, who accompanied him, upon the subject. And yet it is declared in this ex-parte report, which has been adopted by the House, that that member obtained a pledge, and that to him I prescribed the terms of the bill.

I declare, under all the solemnities that can attend such a declaration, that my assent to that bill was never obtained. Upon this point I might appeal to Mr. Ewing's statement, if I could reconcile it to myself to appeal to him for anything. He speaks of a conversation held in cabinet, and discloses facts which are conclusive in their character to show that no definitive opinion was expressed by me as to any particular bill. He gives the world to understand that a *principle* was discussed, and that after the discussion had terminated, I required his own opinion and that of Mr. Webster to be furnished in writing; and one cause of his complaint against me is, that the very next day after this reported conversation, *and before his argument had been prepared*, I declared myself irrevocably fixed against the principle of the bill which had with so much haste been introduced. Mr. Ewing further states that the bill was to be submitted to me for my amendments. What did I want with Mr. Webster's and Mr. Ewing's arguments in writing, if my opinion was determinately made up? Why did I make it an express stipulation that the bill should be submitted to me before it was reported, if I was prepared to adopt it? Will Mr. Sergeant endorse the statement made by the report—will he say that I prescribed the terms of the bill? And I protest against the course of the House of Representatives in adopting the naked assertion of any committee as proof, and more particularly when that com-

¹The first part of this statement, in allusion to the Fiscal Bank, is given at the close of the preceding chapter.

mittee has upon it some members who, of all other men, have been the most abusive of me for a continued period of twelve months,—men of such embittered feelings, that, while they would not be permitted to serve on a jury to settle a two-penny matter in regard to which I should be a party litigant, are, nevertheless, by their naked and unsustained report, permitted to affect my character and good name, and receive, in their efforts to accomplish their object, the endorsement of the House of Representatives.

The principle of the last bill was as objectionable as the incorporation of a bank in any other form, and with the most enlarged powers. It was, in fact, a charter for a national bank, with power to deal in exchanges; and the only provision which connected it with the District of Columbia was the fact that the parent board was to be located at Washington instead of Philadelphia. It limited ostensibly the power to dealing in exchanges, and yet it was, in fact, a bank of local discount; but whether limited to dealing in exchanges alone did not alter the principle at issue. It was a corporation created by Congress to operate over the Union by the naked authority of Congress. I had ever in view the action of Congress as a local legislature, and not as a national legislature. In the first character it had power to create a corporation, in the last, none at all. So far as the right of a local bank to deal in exchanges was concerned, I uniformly looked to the decision of the Supreme Court in the case of the *Bank of Augusta against Earle*, and several other similar decisions, which settle the principle that a bank of one country, authorized to deal in exchanges, may establish agencies for that purpose in any other, *unless prohibited by the laws of the State from so doing*. So that a bank in the District of Columbia, authorized to deal in exchanges, would be at liberty to establish an agency to purchase exchange in Georgia, or any other State, unless prohibited by the State. This fact can be abundantly established by the most conclusive evidence, if necessary.

When Mr. Bayard's amendment to the first Bank bill was pending in the Senate, that amendment was often the subject of conversation between myself and others; and I evermore insisted, that if power was given to a bank here to establish agencies in the States to deal in exchange, it must be upon the express condition that the same was not prohibited by the States. Mr. Stuart, of Virginia, in the interval between the first and second Bank bills, brought me Mr. Bayard's amendment in print, and enquired if I could agree to it as it stood, and upon being answered in the negative, he asked me to write down such an amendment as would be agreeable to me, which I did upon the margin of the bill in pencil, in strict conformity to the principle above stated, as settled in the case of the *Bank of Augusta against Earle*. A copy of that amendment furnished is now before me, and reads: "It shall be lawful for the said corporation to establish agencies, to consist of three or more persons, or *in case such agencies are forbidden by the laws of the State, to employ any bank or banks,*" etc., etc. And in addition, I have no hesitation in saying, that anxiously desirous as I was to meet the wishes of those by whom I was surrounded, I declared to Mr. Stuart that I should regard myself as under the greatest obligations to him if he could get the majority in Congress to adopt that amendment thus proposed by me. He made the experiment and

failed.¹ I have no doubt but that Mr. Stuart has preserved that paper, and I have as little that it contains the principle which I contended for from the first, but which the majority would not grant me, and without which, or one of the same import, it was impossible for me to sanction the bill.

This opinion was communicated to many members of the House on the very night of the day on which the bill was reported to the House. To Mr. Sergeant I sent a request through Mr. Williams, of Connecticut, and Mr. Gregg, of New York, expressive of my anxious desire to see him; that I could not sanction the bill he had reported without an amendment. Whether he was informed of my wish, as thus expressed, I know not.

To all other members who fell in my way a similar communication was made; to some I gave an amendment which, if adopted, would have removed the constitutional difficulty.

These things, in the main, occurred before any decisive action on the bill. I believe that I speak within bounds when I say that some fifty members of the House were fully apprised of my objections. But all would not do; it was supposed that I was committed to the measure, and my sacrifice seems to have been resolved upon. The bill passed the House and was carried to the Senate. I renewed my efforts to have it postponed, and I hesitate not to say that every member of the Whig party thoroughly knew that it could not receive my approval. Mr. Webster addressed his able letter, which has been published, to the senators from Massachusetts,—all efforts were of no avail, *except upon the condition that I would pledge myself not to turn out my cabinet.* This proposition was made to me; I need not add that it was indignantly rejected. I answered that I would or would not discard them, as I thought proper. The Constitution gave me full power over the subject, and I would not part with my control over the members of my political household. Mr. Ewing can now be plainly understood when he says that “I would not agree to give the assurance that no hostile movements would be made.”

The bill was passed under these circumstances; from what motives it was

¹ The sixteenth fundamental rule of the Fiscal Corporation as passed by Congress read as follows: “16. That for the purpose of carrying on and transacting the business of the said corporation herein and hereby authorized, it shall be lawful for the directors of the said corporation, from time to time, to establish agencies in any State or Territory of the United States, at any place or places they may deem safe and proper, and to employ any agent or agents, or, with the approbation of the Secretary of the Treasury, any bank or banks, under such agreements, and subject to such regulations as they may deem just and proper, not being contrary to law or to this charter; and the same agencies, at their pleasure, to relinquish or discontinue, and the same agent or agents to remove; and to commit to such agents or agencies or banks, such portion of the business and concerns of the said corporation as they may think fit; *provided always*, that neither the said corporation nor any agent or agents thereof, nor any bank or banks employed by the same shall be authorized to discount promissory notes with the money or the means of the said corporation, but shall employ the same in the business and dealing in foreign bills of exchange, including bills and drafts drawn in one State or territory and payable in another.”

passed I leave the public to determine. It was known that the veto was inevitable, and yet it could not be postponed but for ninety days. Did I desire the veto, or did Congress? Let the above facts decide. I am charged with corrupt motives, and I am dealing with this charge. What motive had I to desire a postponement of the bill if I was to make profit by a veto? What motive had I to displease a great and formidable party? What means of protection had I against the assaults which were to be made upon my character, and of the intention to make which I was apprised in advance, private and public? The *Madisonian* was, I believe, the only political paper that sustained me; its circulation was limited and confined. The New York *Herald* did me justice, and the neutral press assisted; while an affiliated press, organized, and which it has required years to affiliate, opened their batteries upon me. The shout was raised from one end of the country to the other; indignation meetings were everywhere held; effigy burnings took place, and a universal roar of Whig vengeance was heard in every blast.

Whether this was all designed from the first, I leave others to determine; but I do desire to know why there should have been so much urgency to pass the second bill? The committee and the House ascribe the accumulation of the public debt, and all the difficulties of the times, to my failure to approve that bill. How utterly ridiculous the ascription. What would it or any bank have added to the available means of the treasury in twelve months? If its stock had been taken, its existence would scarcely have been known to the country. And yet a conclusion so absurd that it cannot meet with a single endorser in the sheets of any intelligence, is adopted as most true by the House of Representatives. But I have nothing to do with its wisdom or its folly. I am dealing with an impeachment of my motives. The committee and the House have a right, I admit, to apply to me the epithets of weak, imbecile, vacillating, or any others they may please, provided they will cling to the terms first employed; whether it is exactly in good taste or not is for them to determine. Let them not, however, in the next breath after using such terms, employ others of an opposite character; I hope I shall not be called, for recent acts, an "Imperial Dictator;" that implies something more than weakness. But I shall not complain of any epithets they may please to employ, but they have no right to impeach my motives unjustifiably; and I ask emphatically, what motive could I have had to incur the hatred of a large, powerful, and triumphant party? I know it was said about that time that I was engaged in an intrigue with leading Democrats, and yet it would puzzle all the diplomatists in christendom to assign a single sufficient motive for my leaving a majority party and courting a minority party. The charge of intrigue had no single fact to rest on; and yet, like other charges, it was recklessly made.

Now, suppose every thing that is said by my accusers was admitted to be true—suppose I had on one day approved a measure from a mistake in its leading principle, and before the going down of the sun, upon more calm reflection, had become satisfied that I was in error—what mortal taint would rest upon me for such change of opinion? General Washington did, on a similar memorable occasion, change his opinion at the last hour allowed by

the law after preparing his veto message. Take it for granted, then, that I penned every word of the second bill, and had delivered it over to a member and wished him to have it passed, and before its passage had honestly changed my opinion, will any man tell me of the high crime and misdemeanor deserving impeachment, which I would have committed? The Constitution gives to the President ten days after a bill is placed in his hands, for considering it; and yet the House of Representatives would have him bound by an opinion if at any time expressed to any one in conversation.

According to this doctrine, how would the House itself stand affected? At the extra-session it passed the bankrupt law; at the commencement of this, it passed a bill repealing it. On the 4th of September last it passed the distribution law, with a proviso; at this session it seeks to repeal it. And it is because I have not also changed my opinion—an opinion of thirty years' standing upon this subject—that I am denounced by the House.

But I have a single fact to mention which will be found to be conclusive as to my motives. It has not been adverted to by any member of the retired cabinet, yet it cannot have escaped their memories. I cite it in order to put to flight, for once and forever, this charge of improper motive in connection with my course of conduct.

That fact is this: when I submitted to the cabinet my last bank veto message, I proposed to the members present that I should insert in it a positive clause to the effect *that I would not be a candidate for election to the Presidency*, and they decided that I should not insert it.

The second veto message was sent to Congress on the 9th of September. The cabinet officers resigned on the 11th, and on the 13th Congress adjourned. On the day last named some fifty of the most ultra Whig members of Congress met in caucus, and issued an address to the people of the United States. It summed up, in language becoming the purlieus of billingsgate, the course of the President on the Bank question, and formally ostracised him from the Whig party, and that in the face of his veto message delicately regretting its necessity, and breathing the most pacific and honorable counsels.¹ The lightest judgment that impartial

¹[EXTRACT FROM THE SECOND VETO MESSAGE.]

In conclusion, I take leave most respectfully to say, that I have felt the most anxious solicitude to meet the wishes of Congress in the adoption of a fiscal agent, which, avoiding all constitutional objections, should harmonize conflicting opinions. Actuated by this feeling, I have been ready to yield much, in a spirit of conciliation, to the opinions of others. And it is with great pain that I now feel compelled to differ from Congress a second time in the same session. At the commencement of this session, inclined from choice to defer to the legislative will, I submitted to Congress the propriety of adopting a fiscal agent which, without violating the Constitution, would separate the public money from the executive control, and perform the operations of the treasury without being burdensome to

history can pass upon the Whig leaders is, that they began by betraying their president, and ended by basely deserting him.

the people, or inconvenient or expensive to the government. It is deeply to be regretted that this department of the government cannot, upon constitutional and other grounds, concur with the legislative department in this last measure proposed to attain these desirable objects. Owing to the brief space between the period of the death of my lamented predecessor and my own installation into office, I was, in fact, not left time to prepare and submit a definitive recommendation of my own in my regular message; and since, my mind has been wholly occupied in a most anxious attempt to conform my action to the legislative will. In this communication I am confined by the Constitution to my objections simply to this bill; but the period of the regular session will soon arrive, when it will be my duty, under another clause of the Constitution, "to give to Congress information of the state of the Union, and recommend to their consideration such measures as I shall judge necessary and expedient." And I most respectfully submit, in a spirit of harmony, whether the present differences of opinion should be pressed further at this time, and whether the peculiarity of my situation does not entitle me to a postponement of this subject to a more auspicious period for deliberation. The two Houses of Congress have distinguished themselves at this extraordinary session by the performance of an immense mass of labor, at a season very unfavorable both to health and action, and have passed many laws which I trust will prove highly beneficial to the interests of the country, and fully answer its just expectations. It has been my good fortune and pleasure to concur with them in all measures except this; and why should our difference on this alone be pushed to extremes? It is my anxious desire that it should not be. I, too, have been burdened with extraordinary labors of late, and I sincerely desire time for deep and deliberate reflection on this, the greatest difficulty of my administration. May we not now pause until a more favorable time, when, with the most anxious hope that the executive and Congress may cordially unite, some measure of finance may be deliberately adopted, promotive of the good of our common country?

I will take this occasion to declare that the conclusions to which I have brought myself are those of a settled conviction, founded, in my opinion, on a just view of the Constitution; that, in arriving at it, I have been actuated by no other motive or desire than to uphold the institutions of the country, as they have come down to us from the hands of our godlike ancestors; and that I shall esteem my efforts to sustain them, even though I perish, more honorable than to win the applause of men by a sacrifice of my duty and my conscience.

CHAPTER IV.

1841.

"Our course is too plainly before us to be mistaken. We must look to the whole country and to the whole people."—JOHN TYLER to *Daniel Webster*, October 11, 1841.

"By this time, I suppose, you have finished the irksome business of receiving intruders of every denomination, with all the impertinent curiosity of some, and the hypocrisy of others, who will not fail to use your generous forbearance as a warrant for the privilege they will take of showing to others the notice they have received from a character which they cannot help admiring, notwithstanding the part they may have acted on the great theatre of party spirit, malice, ignorance and lies, which, God knows, I have seen so much of as greatly to lessen my anxiety for seeing a friend or son of mine further advanced than as an honest independent gentleman."—JOHN TYLER, SR. to *Thomas Jefferson*, May 12, 1810.

REFLECTIONS ON THE BANK CONTROVERSY.—CABINET LETTERS EXAMINED.—BOTTS' COFFEE-HOUSE LETTER.—NEW YORK "HERALD" LETTERS.—CRITTENDEN'S LETTER TO CLAY OF AUGUST 16, 1841.—LETTER OF JAMES LYONS.—WHY WEBSTER REMAINED IN THE CABINET.—CORDIAL UNION OF THE PRESIDENT AND WEBSTER.—LETTERS OF THE PRESIDENT TO COOPER, TO WEBSTER, AND TO TAZEWELL.—VISIT TO VIRGINIA.—THE EXCHEQUER SYSTEM.—LETTER TO TAZEWELL.—THE EXCHEQUER SUBMITTED TO CONGRESS.

NO other subject has evoked more discussion in American history than the quarrel between the Whig leaders and President Tyler on the Bank question. Incontestable as the verdict of reason was in favor of the President, writers of repute could gravely shut their eyes to the truth, and continually echo with their voices the same sorry old lies. There was a reason for this. For twelve years had the old nationals been under the ban of the popular displeasure; and though they returned to power under the white lambskin of strict construction, the form concealed was that of the cruel wolf,—starved and disciplined in all the arts of deceit and hypocrisy. The delicate limbs of the Constitution seemed at length the repast upon which they would feed to satiety, when a bold hand intervened and saved the precious object from the ferocious fangs which were just about to fasten upon it. The ear-splitting howl that succeeded betrayed the terrible disappointment.

With an effrontery that grew each day more brazen, the Federal

Whigs railed against the President, and argued more stubbornly than ever the issue of a Bank.¹ But soon again a change came

¹ Botts assumed, by common consent, the precious role of mouthpiece to the vulgarest passions in and out of Congress. The exposure of his "coffee-house letter" made him the laughing stock of the country. It converted him into a very fury against the President. In his blackguard speech of September 10, 1841, he made it a matter of high impeachment that Mr. Tyler had shaken an empty purse at the people on the banks of the Ohio during the canvass of 1840. The Whig party bet loud on Botts.

Nearly *two* years afterwards, Botts, having failed in his travesty at an attempted impeachment of Mr. Tyler, and having been defeated for Congress by J. W. Jones, came out with tenfold malignity, and took oath before a justice of the peace to a statement *on memory* of details of pretended conversations with the President, occurring in the early part of the year 1841, which he solemnly pronounced as true, *verbatim et literatim*. As to the first of these conversations, there was this much foundation for it: Botts, arriving in the crowded city at the time of Harrison's inauguration, came to Brown's hotel, where he found every room filled. Finding the Vice-President's name on the register, Botts besought his aid, and Mr. Tyler finally consented to allow a *cot* to be put in his room to rest the weary limbs of Botts. This was all the *color* that Botts had for saying that he slept in the same bed with Mr. Tyler. His other facts were distorted in the same manner. Mr. Tyler did patriotically avow that he would let no party views embarrass him in the decision of the subject,—that if the Whigs would charter a bank, obviating constitutional scruples, he would co-operate with them. Such, indeed, were his views as expressed to Waddy Thompson, but of which Botts remembered nothing, though he knew so accurately the details of so many other wonderful things.

As to Botts' second interview, represented to have occurred on the 2nd of June, 1841, it is difficult to say whether Botts was more ridiculous or recklessly false in his assertions. The President was as much a stranger to the profligate language ascribed to him as he was to the voracious ambition which Botts represented as consuming him. Botts says that the President once more committed himself on the Bank to him, and referred to his message as a proof. But this was not all; he represented the President as attempting to bribe him, Botts, to assist him in making his term *twelve years* long!

The President, of course, disdained to enter into a squabble with this monster; and answered him on one point alone, where Botts attacked the President's personal honesty. Material, however, was turned over to his son, John Tyler, Jr., who prepared an editorial for the *Madisonian*, effectually squelching Botts' statements. See *Madisonian*, June 7 and 10, 1843; see also *Richmond Enquirer*, June 20 and 23, 1844. Niles is careful enough to give Botts' accusations, but omits the rebuttal of Mr. Tyler.

It is due to Alexander Botts to say that he continued until his death a warm friend and admirer of Mr. Tyler. Mr. John Tyler, Jr., writes as follows concerning this gentleman: "Alexander Botts was the elder brother of John Minor Botts, and not only remained firm and true in his friendship to President Tyler during his entire administration, but whenever he came to Washington warmly reprobated his treacherous brother for his misrepresentations and injustice in re-

over the spirit of their dreams. Routed at every point, by the end of Tyler's term they had once more donned the lambskin.

After having crucified the President, during three years, the bitter confession was wrung from Clay, in his speech at Raleigh in 1844, as in the canvass of 1840, that "he desired no Bank attempted or established unless and until it was imperatively demanded by the people." The platform adopted by the Whigs at Baltimore, on May 1, 1844, avoided the word "Bank" entirely. "This was a severe humiliation," says Von Holst. "It was the virtual admission that the politicians, in their fight against Tyler and the Bank, had become guilty of unworthy exaggeration and conscious untruth. They had placed the President in the pillory, because, spite of the obligations assumed by his acceptance of the candidacy, he had insolently opposed the wish of the people, emphatically expressed by Harrison's and his election, for a Bank; and now they were obliged to confess, 'the less we say to the people about a Bank, the better for ourselves.' A Bank, in the old sense of the word, was a settled thing for ever."¹

The Whig thunder on the Bank dwindled away into its old-time whisper in the corners. Then arose the protestation loud and strong that the Bank was "an obsolete idea." Sore as the Democratic politicians were from the old-time blows of Mr. Tyler—envious and jealous as they were of his fame and sagacity—more and more they were compelled to his support, as each day they planted themselves more and more upon *his* policy. In his editorial of March 10, 1848, Mr. Ritchie, of the *Enquirer*, wove

spect to President Tyler. Alexander Botts acted in all he did disinterestedly; for as a prominent merchant in New York at the time, he could have had the collectorship of the *Port*, but wanted no office."

Botts' soul grew each day more and more infected with the itch of "heading." He got into a long controversy with Mr. Adams, who had sent the "coffee house letter" to Washington, and even tried to prove that Upshur, the Secretary of the Navy, was an "unqualified" enemy of the Union, basing his assertions upon "conversations of hours' duration" held with Upshur. Upshur was drawn into a newspaper controversy with him, but "denied ever recollecting holding any conversation with Botts on any subject whatsoever." (*Madisonian*, Feb. 1, 1841.)

Botts, before he died, fell into general unpopularity with all parties; took sides in the late war against his own people, and concluded his career by writing a curious work against the Southern people, which he called the "History of the Rebellion."

¹ Von Holst's Const. Hist., 1828-'46, page 536.

an exquisite laurel wreath for Mr. Tyler: "Where are the curses, loud and deep," he asked, "which were visited (by the Whigs) upon the head of Mr. Tyler for vetoing their darling, the United States Bank? The wisdom of that act has so fully illustrated itself, that the very leaders who were loudest in their condemnation of Mr. Tyler are now the most clamorous in the cry that it is an 'obsolete idea.'"

At this time Mr. Tyler wrote to his son as follows:

[TO ROBERT TYLER.]

SHERWOOD FOREST, *March 12, 1848.*

MY DEAR SON: It is impossible that any right thinking man can disapprove of your letter resigning your place as first floor manager of the late ball in Philadelphia, and the more noise the devotees make about it, the better for you; and yet I would by no means have you indulge in invective and censure. Your letter avoids doing so, being throughout calm and dignified. So also, I doubt not, have been and will be your conversation and conduct. Your position as taken in your letter is impregnable. Do not change it by indulging in any invective, always remembering the words of Shakespeare—

"Let Hercules himself do what he may,
The cat will mew, and dog will have his day."

I have reason to be gratified at recent developments in Richmond. Mr. Botts, in the Whig convention, made some improper reference to me, when, I learn, that Mr. Preston gave him some hard buffets; while in the Democratic convention Gov. Smith was loud in his encomiums, and the hall rang with applause. But by far the most gratifying demonstration was made in the *Enquirer* of Friday. John was here, got the paper first, and exclaimed, "a miracle!" The solution was that my name stood at the head of the leading editorial, followed by no limited or measured laudation. In reading it I could not but think that the shackles had at last been removed from the Democratic press, and that a kinder and more liberal course would in future be pursued. Whether this be so or not gives me but little concern, except, indeed, in one view, and that is, if the tide of defamation and abuse shall turn, and my administration come to be praised, future vice-presidents, who may succeed to the presidency, may feel some slight encouragement to pursue an independent course. In no other contingency will any one thus situated be anything more than a mere instrument in the hands of the ambitious and aspiring demagogues; the executive power will be completely in abeyance, and the Congress will unite the legislative and executive functions.

My visit to Williamsburg was as a Visitor of the College. The want of harmony among the professors, and discord existing in the town, has seriously threatened the existence of the College, so that the Visitors came to the conclusion that nothing short of vacating all the chairs at the end of the course could save the institution. This has been done, and we shall have no difficulty in filling up properly and taking a new departure.

You should be very careful of your health. Your mode of speaking is very trying to you, and, if possible, you should so far modify it as to curtail your gesture.

With love to Priscilla, and kisses to the children,

Your father,

JOHN TYLER.

The letter above was written under peculiar circumstances. Polk's election, in 1844, was the ruin of *loco-focoism*, achieved, as it was, through the aid of Mr. Tyler; but Polk had belonged to the inner circle of Jacksonism, and to reconcile the bitterly disappointed *locos* to a subordinate place in the ranks, he consented to sacrifice the friends of Mr. Tyler in office. The "miracle," however, to which Mr. Tyler alluded in this letter, was eclipsed by the conduct of the Whig party the same year, who, in nominating Zachary Taylor as president, actually voted down a proposition to declare his nomination a Whig nomination.

But what did the abuse of Mr. Tyler amount to during this and a subsequent period? The Democrats, in the end, not only embraced the man, but elected his right-hand supporter, Henry A. Wise, governor of Virginia in 1855. Did not the Tyler interest secure the nomination of Buchanan? and did not the marvelous day appear when the "Old Line Whigs," five to one, covered Mr. Tyler with the most flattering evidences of their respect and esteem, so that he died in the midst of all his olden popularity, and amid the acclamations of all parties of "well done, thou good and faithful servant"? What did all these things show but that, if there were depths in human nature as deep as hell, so also there are heights in it as high as heaven!

"Let Hercules himself do what he may,

The cat will mew and dog will have his day!"

The narrative of Mr. Tyler's administration, unique as it is in its importance, has fallen upon a talentless and feeble pen; but that pen is hardened into a strength not its own by documentary evidence, which is the weapon that truth ever employs with annihilating effect against error.¹ The Bank question has been

¹ Mr. Tyler himself left behind a MS. history; but, with many of his most important papers and notes *in extenso*, it perished in the Richmond fire in 1865. At one time Caleb Cushing contemplated writing his public life, but the engagements of his office as Attorney General and the excitement of approaching war prevented the execution of the design. At this time, Mr. Tyler wrote:

written fully and truthfully, but there still remains some rottenness of Whigism in the path to be swept away to make it perfectly clean and sweet.

Some notice should be taken of the resignation letters of the cabinet officers,—not that they are worthy to be answered in detail, but because of their offense against the nation as a betrayal of cabinet secrets. Mr. Tyler followed the example of Mr. Madison, when Robert Smith, his ex-Secretary of State, fell out with

[TO JOHN TYLER, JR.]

SHERWOOD FOREST, *Jan. 5, 1857.*

DEAR JOHN: After a two months' siege of sickness, from which I almost despaired at times of recovery, I am now able to take my place at the table and to attend somewhat to my private concerns. I cannot, however, pronounce myself well, as I am still, from slight causes, forced to declare myself on the sick list. However, I trust, by strict attention, to weather the storm and to be restored to usual health. My thoughts during my confinement have run very much upon the future which might follow my departure from the world, and especially upon the history of my life, and particularly on the incidents of my four years in Washington. I have by me, you are probably aware, a narrative, written by myself, of the early part of that time, embracing my Bank vetoes, etc., etc., but have not by any means finished the sketch of my whole service; and I had made the necessary provision to place all my papers in the hands of my sons and sons-in-law, who are grown up to manhood. That a fair history of my administration should be written by a competent person is a matter very near to my heart; and, therefore, it was with no common degree of satisfaction that I learned a few days ago, through a letter from one who professed to know something about it, that Mr. Cushing had resolved to undertake the task after retiring from office. I hope most sincerely that this may be so. From a man of his eminent abilities, who was also a prominent actor in Congress at the time, and intimately associated with me and my friends, and, therefore, well acquainted with measures and motives, I should anticipate, not only full and perfect justice, but also a work to go down to a late posterity. If he should set about the task, letters and papers in my possession should be furnished him *ad libitum*, along with any explanations he might desire. Whatever time might be assigned for the publication of such a work, whether during my life or after my death, I feel it to be important that it should be written while I live. My own explanations might be wanting to render the narrative clear and perfect. Express to Mr. Cushing the pleasure with which the mere rumor has filled me, and my anxious desire that he should execute the task.

I am gratified that he has placed you along side of himself in your office. The only fear is that his successor, if successor he is to have, may prefer some other associate, and thus cut you adrift. While you are in office you should, if possible, make yourself acquainted with the whole volume of decisions made by the Attorney Generals, and write nothing for the newspapers which is not official.

We were all disappointed in not seeing you and Robert at Christmas; the weather and ice, I suppose, prevented.

Your father,

JOHN TYLER.

him, and disdained to enter into a personal contest with them in their private capacity as citizens. Calhoun had developed cabinet secrets, but then there was some slight excuse in the fact that he was brutally attacked by Jackson, and the period was remote since their occurrence. The secrets divulged in this case were not the secrets of John Tyler, but of the President of the United States, at whose will the cabinet officers held their places. They were not *their* secrets, and in divulging them the secretaries committed a breach of official trust which found a parallel alone in the inconsistency of their public careers.¹

The cabinet letters proceeded on the assumption that there were to be no discounts, and yet the bill of the Fiscal Corporation justified, as already seen, the most obnoxious system.² The secretaries could not even agree on a common ground of resignation. Ewing resigned because the President did not apologize to him, he said, for the veto of a bill which did not answer his views.³ Mr. Badger was disgruntled because he said the President had "trifled with his cabinet;"⁴ while Bell denied that he resigned because of any difference of opinion on the Bank subject, or because the President had misled the cabinet, as there were reasons to believe he did, but because there were "other and pre-existing

¹ "Secretary" means, originally, "one entrusted with secrets."

² Thus, in Mr. Ewing's statement we read: "Mr. Badger said that, on inquiry, he was happy to find that the best temper prevailed in both Houses. (?) He believed they were perfectly ready to take up the bill reported by the Secretary of Treasury, and pass it at once. You replied: 'Talk not to me of Mr. Ewing's bill; it contains that odious feature of local discounts which I have repudiated in my message.'"

³ "And to me at least you have done nothing to wipe away the personal indignity of the act; . . . nothing was said like softening or apology to me, either in reference to myself or to those with whom I had communicated at your request, and who had acted themselves and induced the two houses to act upon the faith of that communication. (!)"

T. EWING."

⁴ "It is scarcely necessary to say that I had not supposed, and do not now suppose, that a difference merely between the President and his cabinet, either as to the constitutionality or the expediency of a bank, necessarily interposes any obstacles to a full and cordial co-operation between them in the general conduct of the administration. . . . But the facts attending the initiation and disapproval of the last bill made a case totally different from that—one, it is believed, without a parallel in the history of our country, presenting, to say nothing more, a measure embraced and then repudiated—efforts prompted and then disowned—services rendered and then treated with scorn and neglect. (!)

GEO. E. BADGER."

causes.”¹ Crittenden placed his resignation on the “use of the veto.”² On the other hand, Mr. Webster, who was as deeply mixed up with the Bank business as Ewing, said, in a letter to Gales and Seaton, that “he had seen no sufficient reasons for the dissolution of the late cabinet by the voluntary act of its own members.”³

Bell admitted that the President requested them by what they said to members of Congress not to commit him: “They might express their confidence and belief that such a bill as had just been agreed on would receive his sanction, but it should be a matter of inference from his veto message and his general views.” Ewing admitted the same. Ewing also was aggrieved because Mr. Tyler never “consulted him on the subject of the veto message,” yet he omits to say that the veto message was submitted at the proper time to the cabinet, and Mr. Tyler proposed to accompany it with a renunciation of the succession.

But why linger longer on these nauseous details? They professed to give the words of a conversation after weeks had elapsed, and on memory alone. Had their motives been pure, as they were not, the statement of deliberations in cabinet, even over a matter ten times as simple as the technicalities of banking, might be easily enough distorted as seemingly to show inconsistencies of purpose, when, in truth, deliberation and comparison of opinions were the very objects of the meeting. The President was too sagacious a man not to understand what he was about; and the fact is, the evidence shows that he was one too many for his whole cabinet. Their statements do not make out their case. But why refer to the enmity of these men, whose embittered feelings would, as Mr. Tyler has said, have discredited them before any jury in the land? Why refer to their silence as to the President’s solemn proposition to renounce all pretensions to the succession? or to their secret meeting at Badger’s house on the

¹ “I avail myself of this occasion to say that I have at no time regarded a difference of opinion between the President and myself in relation to a bank . . . as sufficient of itself to justify a resignation of the office. . . . Nor was it because the President thought proper to trifle with or mislead his cabinet . . . that I resigned my place, but there were other, and some of them *pre-existing causes*. (!) JOHN BELL.”

² “Sir, circumstances have occurred in the course of your administration, and chiefly in the exercise by you of the *veto power*, etc. JOHN J. CRITTENDEN.”

³ Niles, lxi., p. 34.

Thursday preceding their resignation? or to the discrepancy between their statements and that of Stuart's on the vital point of federal power? How is it possible to account for their ignorance as to the distinction between a bank of the District of Columbia with the resulting power of exchange through the comity of nations, and a national bank located in the District, and wielding powers in the States above and beyond such comity, and through the naked authority of Congress?

Ewing attempts to explain Mr. Tyler's ultimate resolve to veto the Fiscal Corporation as due to the appearance of Botts' "coffee house letter." "No doubt was thrown out on the subject by you in my hearing, or within my knowledge, until the letter of Mr. Botts' came to your hands."

The letter mentioned was one written by Mr. Botts on the day of the first veto message to a coffee house in Richmond. The notorious author of Clay's compromise amendment, over his own signature, avowed that it was the design of the Whigs to "head" and "fasten" the President to a Bank to which no stock would be subscribed.¹ The letter was a public one, and Mr. Richard Adams, a friend of Mr. Tyler, took a copy of the same and sent it to the editor of the *Mudissonian*, who received it on the 20th and published it the next morning, the 21st.

Affecting to condemn this letter as much as any man, Ewing

¹ Botts' letter ran as follows:

"AUGUST 16, 1841.

"DEAR SIR: The President has finally resolved to veto the Bank bill. It will be sent in to-day at twelve o'clock. . . . Our Captain Tyler is making a desperate effort to set himself up with the *loco-focos*; but he'll be headed yet, and, I regret to say, it will end badly for him. He will be an object of execration with both parties; with the one for vetoing our bill, which was bad enough, with the other for signing a worse one; but he is hardly entitled to sympathy. He has refused to listen to the admonition and entreaties of his best friends, and looked only to the whisperings of ambitious and designing mischief makers who have collected around him. The veto will be received without a word, laid on the table, and ordered to be printed. To-night we must and will settle matters, as quietly as possible, but they must be settled.

"Yours, etc.,

JOHN M. BOTTS.

"You'll get a bank bill, I think, but one that will serve only to fasten him, and to which no stock will be subscribed; and when he finds out that he is not wiser in banking than all the rest of the world we may get a better. The excitement here is tremendous, but will be smothered for the present."

The above letter was postmarked "Washington, 16th August," and addressed to "Coffee house, Richmond."

then adds his most mortal thrust, that Botts' insolence had nothing to do with the constitutional ground on which the veto of the 9th of September was placed. As the Bank bill was not submitted to Congress until the day of the arrival of Botts' letter in Washington, it was not at all surprising that the President, in ignorance of what shape the bill would assume, threw out "no doubt" within Ewing's hearing or knowledge as to the reception he would accord it. On the other hand, not only was Ewing a forward witness in attesting Mr. Tyler's wish for postponement of the Bank bill, but Bell proves that, on the morning of the 17th, the President expressed his doubts to him whether "he would give his assent to any bank (as he understood him (!))"¹ If, indeed, Mr. Tyler did make such a remark, it is to be viewed entirely in the light of the letter received from the correspondent of "strictest veracity,"² who, before that time, had informed him of the Whigs' design in caucus to have him "fastened" through Ewing's bill; that is to say, to have him committed to a measure on the basis of which it might be possible to build a bank with the powers of the late Bank of the United States. Considering the Whig low opinion of Ewing's project, no other conclusion was possible. Accordingly, at the cabinet meeting on the 18th Mr. Tyler threw a bomb among the Whigs by remarking that, if he fancied that the Fiscal Corporation was *not a bona fide* proceeding, and that his cabinet would not stand by him in resisting all efforts of Congress to engraft by amendment at the next succeeding session the power of local discount upon any charter he might now approve, he would not co-operate with them. Mr. Wise himself bears testimony as to how perfectly the *animus* of the Whigs stood revealed to the President and his friends:³

It is amusing to those who know the truth of the transaction in the case, to hear Mr. Botts' letter talked of as the first revelation to the President and his

¹ Niles, lxi., page 54.

² See page 81. On the night of the Whig caucus, the 16th, a mob of "bank ruffians" collected, and, armed with all sorts of missiles, proceeded towards the White House, vowing revenge. The President and his friends prepared to meet them with such weapons as were on hand; but the crowd, after having come near enough to vent their spleen in oaths and hootings, repaired to a neighboring hill, where they burnt the President in effigy, and then dispersed.

³ Henry A. Wise to Messrs. John B. Coles, L. G. Harris, and others, November 5, 1841. Richmond Enquirer, December 14, 1841.

friends of perfidy on the part of those who are now vociferously charging perfidy on the President. That letter was Piper's news. For weeks before Botts' letter made its appearance it was known to the President and his friends that several of those who constituted themselves special deputies from the great Whig party to visit him at the White House, and to advise, and counsel, and teach him, without being asked, as to his duty, all professing the kindest friendship for the man, the warmest wish for the success of his administration, and the deepest interest in the perpetuation of his fame, were seen publicly plotting in the lobbies and elsewhere, comparing their various versions of conversations, snatched with him in an evening crowd, or caught in a morning bustle, to provide proof of contradictory declarations in case he should veto—in fact, intimidate a veto; and in case he should even sign a Bank bill of their own clumsy contrivance, to array such proof to demonstrate his vacillating weakness as to justify them in chuckling at the easy conscience or hair-splitting brain of a poor Virginia abstractionist. To sign or veto his fate with them was the same. . . . Mr. Botts' letter became published proof only of what was known at Washington on all sides long before it was written.¹

One impression, indeed, Botts' letter did make upon the President. It raised anew the hope that the Whigs, seeing for themselves that their games were open to the world's eye, would from very shame agree to cease driving the subject to a decision. The Fiscal Corporation passed the House two days after the publication of the letter, and we have already mentioned the particulars of Mr. Tyler's negotiations with the Whigs at postponement, while the bill was pending in the Senate.

Even those who were most retired were capable of judging on the subject. Abel P. Upshur, at his country seat in Northampton county, Virginia, had long ago passed an accurate judgment upon Ewing, Bell, Granger, and Crittenden, in the cabinet:

¹ Proffit bears a similar testimony: "Gentlemen here boast of the extra session.

Most ardently do I wish, sir, that the people of the country—the honest people of all parties—could have witnessed the drama then enacted in this Capitol; the open party drill; the secret whispered watchword; the manœuvrings of the day; the stealthy councils of the night; the noisy professions of fairness on the floor; grinning and snarling in the lobby; the plotting for power; the planning for place; the imperiousness of the leader; the subserviency of the led. And oh! sir, could that honest and unsuspecting people cast one glance behind the curtain which conceals the controlling spirits of this scene, not even the tawdry tinsel of assumed patriotism in which they stand enrobed, nor the gaudy gauzes of affected purity which bedeck their deformity, could for one moment save them from the withering, blighting, blasting gaze of that indignant and betrayed constituency." (George H. Proffit, *Congr. Globe*, 1841-'2, Append., page 257.)

[UPSHUR TO TUCKER.]

JULY 28, 1841.

He (Tyler) has not a sincere friend in it. Webster will adhere to him till he kills Clay, and no longer. Ewing, Bell, Crittenden, and Granger, will sacrifice him to Clay. Badger is too generous to betray him, (?) but Badger is a Federalist, and will not aid him in shaking off National Republican centralism.

But how weak was the cause of the Whigs was never better shown than in the ridiculous stress laid by Ewing on certain publications which appeared about this time in the New York *Herald*. They were said to be letters that disclosed cabinet secrets, and their authorship was assigned to the President's sons and Mr. Caleb Cushing. The President, however, was held to blame, notwithstanding the injustice of making any man responsible for the indiscretions of others. The fact is, they were neither written by him nor signed by him. Indeed, the *Madisonian* denied on authority that they proceeded from the President.¹ Yet they were said to be his for all that. The truth about the letters is, that that they were written by the New York *Herald's* regular correspondent, and were absolutely nothing more than what any intelligent correspondent might have put together without a particle more information than might have been gathered from the cabinet officers themselves, or their thousand and one mousing confidants. What made the *Herald* letters hurt was, not the secrets they contained, which were nothing, but the severe TRUTH they scourged in livid lines upon the consciences of the retiring ministers. Thus, to take an extract from the letter that was most objected to, and to compare it with the letter of John J. Crittenden, which follows:

[EXTRACT FROM THE "HERALD'S" LETTER.]

The cabinet, one and all, are hard at work to allay all open evidence of a rupture, and counseling their friends to go home and raise the standard of revolt there, while their own efforts are directed to undermine and circumvent the President here. This is their game. Who would have believed that high-

¹ Even the *Intelligencer* acquitted Mr. Tyler of all blame: "It can hardly be necessary for us to add to what we have already suggested, that we have not the least idea that the President countenances in any way the base uses which are thus made of his name. If any doubt could exist upon that point in the most prejudiced mind, the tone of yesterday's message would scatter it to the winds." (September 10, 1841.)

mind and honorable men, for such members of the cabinet ought to be, would thus concert a system of party movements by which to destroy the very man at whose will they hold their offices, and who is constitutionally responsible for their official acts? What treachery! what ingratitude! Why do they not act like men, and at once give in their resignations, and suffer the President to bring to his aid such men as he has confidence in—men on whom he can throw a portion of the labor he is now obliged to discharge himself. Nothing can exceed the industry of the President. He rises early and retires late. Every hour of the day is devoted to his duties. He is compelled to look over papers and decide on a great mass of matters that would be handed over to the action of his secretaries if they were really his friends; but he knows full well the secret objects the leading members have in view, and of course he is constrained to do almost everything himself.

[PRIVATE LETTER FROM JOHN J. CRITTENDEN TO HENRY CLAY,
Published in "*Coleman's Crittenden*," page 159.]

WASHINGTON, *August 16.*

MY DEAR SIR: It is understood that the President concedes the power of establishing agencies or branches, with authority to deal in the purchase and sale of bills of exchange, and to do all other usual banking business *except* to discount promissory notes or obligations; that with the assent of a State branches *may* be established, with authority to discount *notes*, and to do all other usual bank business. Upon this basis it does seem to me that a Bank may be constructed with a larger recognition of Federal authority, and of more efficiency than the one which the President has refused to sanction. It should be done by conferring on the Bank and its branches *all* the usual banking powers, and then, by restrictions and exceptions limiting them to the basis before stated; there is less danger of embarrassment and error in this form of legislation than in the attempt to limit the powers of the institution by specific description and enumeration of them. I pray you to consider this well, with all the great consequences which attend it, and do whatever your known liberal spirit of *compromise* and your *patriotism* may direct. Mr. Clay can lose nothing by a course of conciliation; his opinions are known to all, and to whatever extent he may forbear to act or insist upon them, it will be regarded only as another and further sacrifice made to his country. Do not believe that the least *selfishness* influences me in anything I have suggested.

P. S.—Consider if it would not be better to drop everything about the *assent of State*, and making the banking power a mere emanation of congressional authority, exclude it from the discounting of promissory notes. The money transactions of men will be put into the shape of bills of exchange, and the bank thus formed may be easily amended by future legislation, if the power of discounting *notes* should be found useful or desirable. The political effect of settling this matter now and by *your means* will be great.

J. J. CRITTENDEN.¹

¹ The italicised words in Crittenden's letter appear as such in *Coleman's Crittenden*.

In this letter the whole damnable programme is accurately laid down. Mr. Tyler's objections as to local discounts were to be confined, *per fas aut nefas*, to promissory notes. Greater "Federal authority" was to be obtained than in the old-fashioned Bank of Clay's just vetoed. Even local discounts, under forms of bills of exchange, were not enough, but the design is avowed of *amending by future legislation*, until the power of discounting notes might be added. Finally, the whole aim of Whig action is summed up in the last sentence of the postscript, "The political effect of settling this matter now and by *your means* will be great."

Notwithstanding the intention, avowed by Crittenden as above, to engraft later the power to deal in promissory notes, we find the cabinet eagerly assuring the President, two days after, that they intended to "stand by him" against any such attempt.¹

It did indeed seem a capital joke that the Whigs could single out the New York *Herald* for abuse, when no scruples as to cabinet secrets, or even decency of expression were in the slightest degree regarded by them. The following is an interesting letter from Mr. Lyons to the President:

[FROM JAMES LYONS.]

(NEAR) RICHMOND, August 28, 1841.

MY DEAR SIR: I have been in the hope for some weeks past that I should be able to get through my professional engagements in time to pass a few days in Washington before the adjournment of Congress; but I fear now that it will be impracticable, although my toil has been steady. I take this mode, therefore, of expressing to you my deep regret at the discord which has

¹ Mr. Bell's statement reads as follows: "He (the President) spoke of the relation that existed between him and the cabinet, and how necessary it was that he should have their support. Would they stand by him? He much preferred that the whole subject should be postponed until the next session, but if it was necessary to act now, he thought a plan might be devised, which, with their co-operation, might be carried through. . . . When after all the material points had been disposed of, and the members of the cabinet present expressed their decided approbation of the plan, he said that after all he would not sanction a bank in the form just agreed upon, if he supposed that it would be made the groundwork or basis of a bank with all the powers of the late Bank of the United States. He never would give his sanction to the power of local discount. He feared that at the next or succeeding sessions the Whigs would be bringing forward amendments engrafting this power upon any charter he might now approve; and he appealed to his cabinet to know if they would stand by him, and use their influence in preventing any such movements while his administration lasted. Mr. Webster and others gave him all proper assurances upon this point." (Niles, lxi., page 54.)

grown up among the Whigs, and my abhorrence of the illiberal and unjust, and even vulgar violence with which you have been assailed. I differ with you, as you know, as to the power to establish a Bank, but I approve most heartily of your veto of the Bank, and especially of the sixteenth section. But if I differed with you in both respects, I still should regard the treatment which you have received as unjustifiable, and whatever others may do will not sacrifice our ancient friendship to that difference. I apprehended, as in one of my letters to you I stated, that a difference between Congress and yourself as to a bank would lead to a violent political contest; but I confess I did not anticipate so early a contest, nor such an one as seems to be waged against you.

How like is it to the treatment which Mr. Rives received from the Jackson party, and how inconsistent with the professions which our party made of abhorrence of that treatment. Then we deemed it most unjust and cruel that a man who differed with his party upon one point only should for that difference be denounced and crucified. But the case is now altered, and I much fear that all political parties are too much alike in violence and intolerance.

I trust, however, that this storm will soon pass away and leave a purer atmosphere. The bill now before the Senate seems to meet the views expressed in your message, and I trust will receive your approval. If it does, the defamation which has been heaped on you will recoil with destructive force upon its authors, and from this troubling of the waters healing will arise. It will be a new era in the banking history of the country if it succeeds, and will in the end bring thanks to you from the country for modifying and limiting the power of the Bank. One of Mr. Jefferson's great objections to a Bank, viz. : its power to run upon different portions of the Union, will be entirely removed by denying it the power of local discounts. Bills of exchange are not renewable, and there can be no run therefore. The Bank can only close to purchase, and will not have debts to call in. The men who would "head" you will be then most effectually headed themselves, and the country will applaud your course.

I trust, therefore, for your sake and that of the country, that the bill will meet your approbation, and the friends who now stand by you find new cause and justification for their regard for you in its beneficial effects.

Yours truly,

JAMES LYONS.

Webster alone of the old cabinet remained. In a letter to Messrs. Gales and Seaton, the editors of the *National Intelligencer*, Mr. Webster vindicated the President from ill-action, by saying that he remained in his place, *first*, "because he had seen no sufficient reasons for the dissolution of the late cabinet by the voluntary act of its own members;" and *secondly*, because, "if he had seen reasons to resign his office, he should not have done so without giving the President reasonable notice, and affording him time to select the hands to which he should confide the delicate and im-

portant matters now pending in this department." Each of these reasons, just and honorable in itself, ought to have operated, as a dagger, to pierce the consciences of the deserting ministers. Webster was subsequently induced by his political position to be silent as to the action of his associates, and lay more and more stress upon the duties of his office; and this has been the tack of his admirers ever since. He is made out a sort of martyr, for remaining in the cabinet, to the high and important calls of his country. And this is history! The Websterites dare not entirely condemn Mr. Tyler for his course; for otherwise their hero would suffer. But while they damn Mr. Tyler with the faint praise of being an honest man, and a consistent opposer of the Bank, they affect to belittle his reputation as a statesman for two reasons,—the first is, in order to conciliate the Whigs with whom Mr. Webster was forced afterwards into entire co-operation, and the second is, in order to ascribe to Mr. Webster the glory of the administration!'

Now let me initiate these self-complacent writers into the knowledge of a fact or two. I do not believe any more than they do that Mr. Webster uttered a conscious falsehood in ascribing his course chiefly to the state of our foreign relations; but while cheerfully admitting this to be one of his motives, I do most emphatically assert that it was not the only one, nor even the most potent of a number. That Mr. Webster unequivocally condemned the desertion of his colleagues, he tells us so in his letter to Gales and Seaton mentioned. But there was a third reason, and I state it in the language of Mr. Tyler. "*Webster had too much sagacity not to see that the rule sought to be established was Clay rule, and nothing more.*"

The antagonism of Webster and Clay is notorious, and the ad-

¹ Thus Mr. Curtis writes: "Mr. Tyler was a man of far more than the average ability of our statesmen, and had he not incurred the misfortune of being a President without a party to support and assist his administration of the government, he would have stood *well* in our political history." (*Curtis' Webster*, ii., p. 211.) In the same way Mr. Curtis writes in his "*Buchanan*," alluding to Mr. Tyler's opinions as *unknown* at the time of his nomination. It is due to Mr. Curtis to say that, since those views were uttered, he has written to the author as follows: "I have only time to say, in reply to your observations about my imputing to your father a want of national reputation at the time of his nomination for the vice-presidency, that the longer I live the more reason I find for divesting myself of local prejudices."

vice given him by the Massachusetts delegation in Congress, though predicated on the same ostensible reasons of exclusive patriotism, was the advice of a faction opposed to Clay.

Benton represents that Webster had entirely made up his mind to leave, but that means were found to mollify him, "probably," says he, "by disavowing the application of any part of the New York *Herald* letter to him."¹ This is like most of Benton's history,—stuff! Instead of Webster's remaining in the cabinet being purely a gratuitous act of his own, done out of the magnanimity of his disposition, and instead of the President resorting to devices to retain him, the reverse of this is more like the truth. The opportunity offered me in the examination of Judge Tucker's correspondence establishes the fact beyond cavil, that it was more Webster's desire to remain than President Tyler's wish to retain him.

During the Bank proceedings the President had been under some constraint to Webster. He had been originally a Federalist of the old type,—had opposed the war of 1812; had been accused, though unjustly, of a participation in the Hartford Convention; had been the advocate of the Bank, and accused of being a paid advocate of that; had been the supporter of the Force Bill, opposition to which made the Whig party in the South; and he was from a State which had ever been the opponent of Virginia. His affiliations were with the men who regarded the Constitution as a nose of wax, to be pulled into any shape. He was neither heartily with the President, nor heartily against the Clayites in their game of the Bank. A powerful interest around the President were strongly in favor of an entirely new cabinet; and in the reconstruction of the same they did not think it either prudent or proper to leave so old a Federalist as Webster in it. Among those who entertained these views were Henry A. Wise and N. B. Tucker. Their plan was to get the President to send Webster to England, and promote Abel P. Upshur to the vacancy in the office of Secretary of State.²

Mr. Tyler entertained the highest opinion of Upshur; and though our foreign relations were difficult, the subtle mind of

¹ Thirty Years' View, Vol. ii., p. 356.

² In his letter of September 5, 1841, Wise writes to Tucker: "In no way can we jilt Webster except by sending him to England."

the Virginian was as equal to their adjustment as the admitted talents of Mr. Webster. But on the resignation of the cabinet, an opportunity was afforded to Mr. Tyler for a complete understanding with Webster. Webster then unequivocally and undisguisedly avowed his design of supporting Mr. Tyler, and the latter was too sagacious a man not to recognize the great political assistance which would be yielded him in the North by retaining the present Secretary of State; to say nothing of the recognition which he cheerfully accorded him as a man of first-class ability, and a cabinet officer who, in his personal relations with the President, was always particularly alive to the respect due to the head of the government. Hence it was that Mr. Tyler sternly opposed himself to all intimations of turning Webster out and appointing Upshur or any one else Secretary of State.¹ The following ex-

¹ The following letter from John Tyler, Jr., in this connection, is interesting:

[JOHN TYLER, JR., TO LYON G. TYLER.]

1403 THIRTY-FIRST ST., WASHINGTON, D. C., *January 29, 1853.*

MY DEAR LYON: You ask me to give you a written statement as to what occurred in my presence on the occasion of the resignation of President Tyler's cabinet in 1841. I have often had occasion to describe the scene, and I remember the incidents connected with it as vividly as though they had happened yesterday.

Congress, in both Houses, had decided, by resolution, to adjourn on Monday at two o'clock, September 13th. On the Thursday previous, September 9th, Badger, Secretary of the Navy, invited all the cabinet to a special supper, and all of them assembled at his house on Lafayette Square, Webster with the rest. But presently Mr. Webster saw that the arrangement was for a meeting with Clay, and retired. It was, indeed, a regular plotted conspiracy between Clay and the rest, save Webster. It was arranged with Clay that their resignations should be handed in the last day of the week, Saturday, September 11th; but instead of all going in at once, it was concerted that the day should be consumed by the intervals between them, the last, that of Granger, Postmaster-General, being delayed until five o'clock P. M., thus rendering it impossible for action to be had by the President on the formation of a new cabinet that day. The next day was Sunday, when Congress did not meet, and both Houses were to adjourn on Monday at two o'clock. It was deemed by the conspirators that the President would be utterly unable to form a cabinet before the adjournment, and, therefore, that he would be compelled to resign, because of an impossibility to conduct the administration. They reasoned that he had resigned his seat in the House of Representatives after his third election to that body, and that he had also resigned his seat in the Senate after his second election to that body, and it occurred to them that if placed in the awkward predicament in which their resignations would place him, in view of the adjournment of Congress on Monday at two o'clock P. M., he would resign the presidential office; in fact, that no other alternative would be left him than to resign, through his inability to form a cabinet. What gave force to their reasoning and

tract from a confidential letter of Judge Upshur, written from Washington, is very significant on this point:

[UPSHUR TO TUCKER.]

SEPTEMBER 7, 1841.

You are entirely mistaken that he (Tyler) derives counsel from me. I said nothing about the London mission. I do not want it, and would not take it. The plan is to give it to Webster, which rids Tyler of him as S. of State. *Entre nous*, Tyler is much pressed from various quarters to confer that post on me. He will not do it, and for that I thank him. It relieves me from the necessity of declining, and you know I could not *prudently* accept.

their nefarious design was the fact that, *by law, as well as usage*, a vacancy in office requiring confirmation by the Senate, as in the case of a cabinet officer, must be filled before its final adjournment, or otherwise remain vacant until the Senate reconvened. The Constitution gives from November until March, full four months, the time between the election of a president and his inauguration, for the formation of a cabinet, and yet these conspirators gave not a single day. They were literally astounded at the failure of their plot, and went mad over their disappointment. It is only necessary to consult their own party journals of that day to be convinced of all that I say, out of their own mouths, as it were.

As the President's private secretary I was present when the resignations were handed in to him, one after the other, and by his direction noted the time of the receipt of each by my watch. The first was received by the President at half-past twelve o'clock P. M., the last came to him at half-past five o'clock P. M., and the receipt of each and all, one after the other, until all were in, I carefully registered on the back of each one of them. Mr. Webster entered the President's office a few moments before Mr. Ewing's letter of resignation as Secretary of the Treasury was handed to the President, and at a glance recognizing the hand-writing of the superscription as that of Mr. Ewing, and evidently divining the obnoxious character of its contents, quickly asked, before its seal was broken, to have it entrusted to his care for a few minutes. The President consented, and he retired with it, was gone for a few minutes, and, doubtless having failed in his attempt to induce Mr. Ewing to recall it, returned with it and surrendered it in silence. He then, in his deep-toned voice, asked, "*Where am I to go, Mr. President?*" The President's reply was only in these words, "*You must decide that for yourself, Mr. Webster.*" At this Mr. Webster instantly caught, and said, "*If you leave it to me, Mr. President, I will stay where I am.*" Whereupon, President Tyler, rising from his seat and extending his hand to Mr. Webster, warmly rejoined, "*Give me your hand on that, and now I will say to you that Henry Clay is a doomed man from this hour.*"

President Tyler's policy and wish both were to retain Mr. Webster as Secretary of State, but as to that he did nothing and said nothing to induce him to remain until Webster of his own election decided to do so. After events demonstrated the wisdom of his retention in the cabinet, for it not only aided the President in effecting a satisfactory adjustment of our long standing difficulties with Great Britain, constantly threatening war, but contributed to carry New England at the next general election against Clay and his co-conspirators, ousting their majority from the national capitol. Even Massachusetts, by the election of a Democratic

Mr. Tyler, though left by the recreant cabinet officers hardly a day to select their successors, made choice of the following efficient substitutes: Walter Forward he appointed in the place of Ewing, Secretary of the Treasury; John McLean in the place of Bell, Secretary of War; Abel P. Upshur in the place of Badger, Secretary of the Navy; Charles A. Wickliffe in the place of Granger, Postmaster-General; and Hugh S. Legaré in the place of John J. Crittenden, Attorney-General. The cabinet was made up as a unit. Dissonance of opinion on material subjects was to be followed by a prompt resignation. The "good of the country" was alone to be looked to. The moderates of all parties were to be invoked to the support of the administration. Of this cabinet unity we have documentary evidence in Mr. Tyler's note to Mr. Webster on the appointment of John C. Spencer, as Secretary of War, in the place of John McLean, who declined the position:

[THE PRESIDENT TO WEBSTER.]

WASHINGTON, Oct. 1, 1841.

I have had a free and full conversation, holding back nothing and disguising nothing. He (Spencer) takes time to deliberate with full view of the whole. If he comes in, he does so with full knowledge of my views, and the motives of my course in future. Our greatest object should be to have no more jarring, and I have, therefore, been most full and explicit. He has

governor, for the first time in her history, rebuked the course of Clay toward the President.

As to the letters published in the New York *Herald*, of which Mr. Ewing so bitterly complained in his letter of resignation, to palliate his own disgraceful procedure in publishing to the world the cabinet secrets, or rather his own version of them, President Tyler knew nothing about them. They were written by the New York *Herald's* correspondent in Washington, and whatever may have been the methods employed by him to secure information about secret affairs, the President was as innocent of any hand in them as a new-born babe. They were absolutely nothing more than what was or might have been known by any aptly intelligent person, paying a tolerably close attention to public affairs at the time.

The letters from Noah's spirited journal of New York city, republished in the *Madisonian*, signed "*Haon*," were written by me. I also wrote the "*Madisonian Pamphlet*," as it was termed, "in defense of John Tyler," as well as the paper that elicited much comment at the time, "in defense of Mr. Webster for remaining in the administration." The letters or communications in the *Madisonian* signed "*Aristides*," were written by ex-Senator and ex-Governor George Poindexter, of Mississippi.

I have thus, in some measure, endeavored to answer your enquiries, but from my speech delivered in Portsmouth, Virginia, during the campaign of 1844, you can gain much other information.

I am, affectionately, your brother,

JOHN TYLER, JR.

high talents and good business habits ; but our purposes should be single, and if he comes this will be understood.¹

Upshur wrote at a somewhat later day :

[UPSHUR TO TUCKER.]

NOVEMBER 2, 1841.

In the meantime, so far as the course of the administration has been de-

¹ Spencer, in his powerful letter to the public (Niles, lxiii., p. 140-'3), gives this account of his nomination :

"With respect to my acceptance of a seat in the cabinet, it is proper to state that it was made after consultation with the prominent men of the State of New York, then my political associates, comprising the State officers, with one exception, all the members of the Senate to whom access could be had, many members of the assembly, and a large number of our most esteemed citizens, and upon their advice without a single dissenting opinion. The press throughout the country, particularly the Whig press, spoke favorably of the appointment, and furnished evidence of the general sentiment of that party. Nothing has occurred to change my own convictions of the propriety of accepting an office which was tendered without solicitation, nor to render the reasons and motives which induced that course less obligatory in requiring a continuance in the same station. Facts which came to my knowledge before I concluded to accept the offer of the President, and some of which have been stated in this communication, satisfied me that the impressions produced by the manifesto of certain Whig members of Congress, which did not receive the sanction, and was unknown to very many of those whose views it appeared to express, were erroneous and unjust toward the President, and that motives and objects had been ascribed to him with the semblance, but without the reality, of truth. And between his principles, as explained to me, and my own, I found no incongruity that could prevent of hearty co-operation. We had co-operated in Congress on all important occasions, and on the same committee that conducted the memorable investigation, in 1819, into the affairs of the Bank of the United States, where we had stood shoulder to shoulder battling against the frauds, the corruption, and the power of that institution, on common grounds and congenial principles. We had together been Republicans of the old school, maintaining the same doctrines, and combatting the same political enemy, long previous to, during, and after the war of 1812. In 1828 and 1829 we had made common cause against the administration of John Quincy Adams, and had united our efforts to bring Gen. Jackson into power. When the measure of his administration in our judgment evinced a departure from what we conceived the principles upon which he had been elected, however pure and upright may have been his intentions, we together avowed our opposition to those measures, and went into a minority against the strongest party and the most popular leader of it that has existed in this country since the days of Washington. During these scenes there had been a general similarity of sentiments and congeniality of views. With him I denied that, in the contest of 1840, a national bank had been the test of political orthodoxy, and although the occasions for presenting my views had not been so frequent or so public as those which the President had possessed, yet were they well known to political friends and opponents. There were, therefore, between the President and myself political affinities as strong and as numerous as could well exist between persons living so remote from each other."

veloped, it meets my approbation more fully than that of any preceding one. The members of the cabinet are perfectly harmonious on all the great subjects before us, and none of us have yet differed in our views very materially from the President. I invoke your patience, therefore, till you see what we are doing, or design to do. I have better hopes of a successful and honorable administration than previous appearances had justified me in expecting. I am sanguine in the belief that *some* of our principles will be established.

In his *Seven Decades*, Mr. Wise describes in glowing terms the characters of the men who now surrounded Mr. Tyler. Mr. Tyler himself has raised the sweetest hymn to their memory in his lecture, the "Dead of the Cabinet," given in a future chapter. The retiring cabinet ministers made their exit in good time. True, the President would have been glad to have had them a while longer, but only in order to consult the public interests in the selection of their successors. That done, and any further desire of theirs to remain would have been treated as it deserved. They would have been "kicked out" without further ceremony. The following letters of Mr. Tyler explain, in animated language, the political significance of the new nominations. That to Mr. Webster is invaluable besides as giving the first hint to him of the annexation of Texas:

[To THOMAS A. COOPER.]

WASHINGTON, October 8, 1841.

MY DEAR SIR: Your letter of the 30th September should immediately have been acknowledged, but for the greatest and most oppressive mass of business having devolved upon me during the last fortnight which I have yet had to bear. This arose from the supervision necessarily bestowed upon the war, navy and post-office departments, the secretaries designated for which have not yet arrived. Wickliffe and Upshur will reach in a day or two, and then I bethink me of a flight to the country, in order to repair some waste of physical and mental strength, which a continuous severe service of now six months has served in some measure to impair.

I need scarcely say to you at this late day that the report as to my illness was of the character which you described. Thank Heaven, I have no brain fever, nor have I had; and instead of experiencing uneasiness at the course of the vile conspirators, my health is now decidedly improved, and I have a hope that neither the assaults made, or the still more violent assaults to be made, can in any manner disturb me. My friends, the Clay Whigs, if they have not already made the discovery, will ere long, I hope, find it out. The new cabinet is made up of the best materials. Like myself, they are all original Jackson men, and mean to act upon Republican principles. We hope to sustain ourselves by no intrigue, but by a faithful discharge of our public duties, and if we go down, it will be no small degree of comfort to us

that we have intended the public good and have worked faithfully to accomplish it.

Be pleased to present me most respectfully to all of your household, and accept for yourself assurances of my sincere regard. JOHN TYLER.

[TO DANIEL WEBSTER.]

WASHINGTON, *October 11, 1841.*

MY DEAR SIR: I have pleasure in saying that the cabinet is now full. Mr. Spencer, Mr. Wickliffe and Judge Upshur will be here early this week. Each man will go steadily to work for the country, and its interests will alone be looked to. I congratulate you in an especial manner upon having such co-workers. I would have each member to look upon every other in the light of a friend and brother. By encouraging such a spirit I shall best consult my own fame and advance the public good. My information from all parts of the country is encouraging, and although we are to have a furious fire during the coming winter, yet we shall, I doubt not, speedily recover from its effects. Our course is too plainly before us to be mistaken. We must look to the whole country and to the whole people.

The letters from Stevenson and Hughes are full of interest. The swearing in the McLeod case is hard against him, but Mr. Spencer's opening speech inspires me with confidence. That gotten over, and you will have the honor of a final adjustment of all other difficulties. I shall truly rejoice in all that shall advance your fame.

I gave you a hint as to the probability of acquiring Texas by treaty. I verily believe it could be done. Could the North be reconciled to it, could anything throw so bright a lustre around us? It seems to me that the great interests of the North would be incalculably advanced by such an acquisition. How deeply interested is the shipping interest. *Slavery*,—I know that is the objection, and it would be well founded, if it did not already exist among us, but my belief is that a rigid enforcement of the laws against the slave-trade would in time make as many free States south as the acquisition of Texas would add of slave States, and then the *future* (distant it might be) would present wonderful results.

I shall leave here in as few days as I can for my quiet home, to meditate in peace over a scheme of finance. In whatsoever you do upon that subject, remember always my difficulties, which Ewing, Bell & Co., to the contrary, have given me more pain than either of them could have felt. The day for attempt at compromise has passed, however, and we must take good care to trim well our sails for the voyage which lies before us. The more simple the agency to be employed, the better. We have no surplus, nor are we likely to have for some years, and may be regarded as living from hand to mouth. I pray you to accept the sincere assurances of my confidence and warm regard.

JOHN TYLER.

P. S. Since writing the above the proceedings of the Syracuse convention have reached me. What a low and contemptible farce. You were right to remain in the cabinet, *quoth Fillmore and Co.*, and yet these very men united

in forcing Granger to retire. I learn by a private letter that in secret session Mr. Clay was proposed for the succession, and supported by Fillmore.

[TO DANIEL WEBSTER.]

WASHINGTON, *October 13, 1841.*

DEAR SIR: I have deemed it proper to call the attention of the cabinet to the instructions prepared by you for Commodore Morriss, in relation to the case of Johnson, at Montevideo. They concur in suggesting to you the propriety of so modifying the instructions as to direct the Commodore to ascertain the facts, and if needs be, to report to the government after having made a demand for redress. The idea is that a movement on Montevideo, if redress was refused, either in the form of blockade or otherwise, would be equivalent to a declaration of war against a civilized nation, which is exclusively intrusted to Congress. What say you? Is the objection well founded? Please answer at your earliest leisure as Morriss will probably be ordered out in a few days. If you concur you can modify the instructions, which will be forwarded.

Mr. Wickliffe arrived the evening before the last, and thus the cabinet is again full. I repeat what I said in my last, that you will find in them able co-workers. The stock authorized by Congress drags heavily. What think you of appointing an agent to Holland, and write Forward your views? The subject has been much spoken of in cabinet meeting. We must take care to keep the government in motion, for unless the recent elections shall have taught the "clique" more wisdom than they have heretofore displayed, we shall have to encounter a violent opposition this winter.

I shall probably leave in a few days for Virginia.

Be assured of my sincere regard.

JOHN TYLER.

[TO L. W. TAZEWELL.]

WASHINGTON, *October 11, 1841.*

MY DEAR SIR: I have had frequent occasion to call to mind the last conversation which I had with you in Williamsburg at my house, in which you indulged in certain anticipations, which have since received all the fulfilment of actual prophecy. I well remember your prediction of Gen. Harrison's death, and with what emphasis you enquired of me whether I had thought of my own situation upon the happening of that contingency. You declared in advance much of the difficulty by which I have already been surrounded. I had not contemplated the happening of the contingency of Gen. Harrison's death, and much less the base, but well planned, conspiracy which has so recently assailed me. To you it cannot be necessary to say, what you have all along known, that my opinions on the subject of the power of Congress to create a national bank are permanently fixed, and that no power on earth could induce me to approve such a Bank bill as would alone satisfy the ultra-Federalists. This fact was as thoroughly known to Clay; and being so known, not only by an acquaintance with my frequently avowed opinions, but from a conversation held with him upon the opening of the extra-session, he seized upon this as a favorable opportunity to press me to the *veto*, and by forcing

me into a position of great awkwardness, to raise the cry of treason, to set all his presses upon me, and by exciting the passions of the Whigs to frenzy, to force them into an early committal for himself for the succession, and thereby to exclude all other competitors.

How far this famous plot has succeeded no one is better qualified to judge than yourself, because of the close attention which you are in the habit of bestowing upon passing events. I know that it entered into the belief of all the conspirators that I could not surround myself with a Whig cabinet, in which they have been most grievously deceived. I have, in my new organization, thrown myself upon those who were Jackson men in the beginning, and who fell off from his administration, for very much the same reasons which influenced you and myself. They are men of acknowledged ability, and conform to my opinions on the subject of a National Bank.

And now I come to the real motive which has prompted this letter. I am committed to the country to produce a financial plan to the next session of Congress. Two have occurred to me, but upon neither have I matured my opinions. May I ask your permission to submit them to you when I shall have somewhat more fully matured them? and may I not also request of you such suggestions in advance, as I doubt not you will be ready to give, upon this deeply interesting subject?

The naked Sub-Treasury has been condemned, but may not a Treasury arrangement be formed which will not only answer the purposes of the government, but also furnish a currency for the country? I am aware that I take a great liberty in thus addressing you, but I have felt that if there was a man in the country to whom I could appeal successfully upon this subject, it was yourself. And I beg leave to assure you that the late differences of opinion between us, *not of principle*, for there I am happy to believe that we entirely concur, have not for a moment lessened either my regard for you or confidence in you, both of which are just as great as you could possibly desire them to be.

Our foreign news connected with the change of the English cabinet, is altogether favorable to the peace of the country, but one point of real difficulty presents itself, and that depends contingently upon the fate of McLeod, which a day or two will now determine.

I pray you, my dear sir, to accept my best wishes for your health and happiness.

JOHN TYLER.

In the latter part of October, Mr. Tyler, who had been subjected to the most severe and incessant strains of business for a period of six months, more than six weeks of which he was his own Secretary of War, Secretary of the Navy, and Postmaster-General, left Washington for the peace and quiet of his Virginia home. He reached Norfolk on the 21st, visited the United States ship Delaware, lying in Hampton Roads, and the public works at Fortress Monroe, and the navy yard and dry docks of Portsmouth, reaching Williamsburg on Monday afternoon, October 25th, where he

was received with a ball by the citizens of that place. After a few days of repose, Mr. Tyler visited "Cedar Hill," in New Kent, where he was tendered a public dinner by some of his old constituents. In his letter of reply, declining the honor, Mr. Tyler said that, amid the torrents of abuse, "the light reflected from burning effigies served to render the path of duty more plain."¹

The period of leisure thus stolen from the office-seeker was devoted by Mr. Tyler to maturing a scheme of finance, to which he stood pledged in his last veto message. Two plans had occurred to him at an early day: the first a bank of limited capital in Washington or New York, and without the grant of a particle more power than its local charter conferred, to act as the exclusive depository of the public funds, upon the condition of full security and the precaution of a bankrupt law; and an exchequer system, subsequently recommended to Congress. In the elaboration of the general principles of this latter measure—which measure occurred to him as the most feasible—he took into his confidence Mr. Tazewell alone, who was now living at Norfolk in retirement.

[PRESIDENT TYLER TO MR. TAZEWELL.]

WILLIAMSBURG, Nov. 2, 1841.

MY DEAR SIR: I found here awaiting my arrival your deeply interesting letter of the 11th of October, and availing myself of the permission you have given me, I now submit to you somewhat more in detail a financial arrangement which has occurred to me as the most feasible which the times will justify the hope of passing. Let me premise that, however preferable other schemes may be, yet that in the present state of parties I am forced (so it seems to me) to accommodate my views to that which is likely to unite the greatest number in its support; for however wise a measure might be in other respects, yet it would be an act of folly on the part of a public man to press it when there existed an apparent certainty that it would be received with invective and denunciation from all quarters.

I should be drawn very strongly in favor of the plan of either creating a bank in Washington of limited capital, say \$5,000,000, or selecting one in New York as the exclusive depository of the public funds, and leaving it to such bank to select its own agents without the grant of the government of one particle more of power than its local charter confers, upon the condition of full security being furnished in the form of government stock, and the further condition of its being subjected to a bankrupt law; but this would be assailed, I fear, with all the fury of faction, and might prove in the end destructive of the hopes of the administration of being useful to the country. The notes of such bank being receivable everywhere for government dues,

¹ See Correspondence, Niles Reg., lxi., page 187.

would furnish a currency, as near as is attainable, of uniform value, and would, moreover, present the great desideratum of a separation of the sword from the purse. It would present a new organization and arrangement, and would most probably receive the support of the numberless stockholders in State banks; but then it would be liable to all fluctuations in trade, under individual control, and might run the race of cupidity and avarice, and finally overwhelm the country in ruin. The bankrupt law would act as a great check, it is true; but when we see so many in all the walks of life who, with a jail on one hand and some deceptive allurement on the other, chase the deception until they find themselves deceived and ruined, we have cause to fear that an association of individuals would be neither wiser nor better. A death's head has no terror for a man in pursuit of pleasure, any more than a bankrupt law would deter men from running in pursuit of real or imaginary profits. Other limitations and restrictions might, it is true, be brought to bear in aid of the terror of a bankrupt law.

Can any other scheme possessing more safety be resorted to? Theory would answer affirmatively, however practice might contradict its promises. The first great object is, while furnishing a circulation, to avoid expansions and contractions. Now, with the whole matter of the currency in the hands of the government, one would suppose that all was secure. The quantity of paper thrown into circulation could only be *increased* by law. The two Houses of Congress must concur, and the President must approve, and if the issue in the first instance was wisely limited in amount and made to rest on an unquestionable demand, the fluctuation in trade would scarcely reach it. I suggested that \$15,000,000 of exchequer bills might readily and safely be thrown into circulation and maintained in circulation. Your idea was that that would depend upon the single fact whether they would be above the par value of the precious metals. That such would be the fact I do not doubt. They would everywhere be at a premium, because they would be receivable everywhere in payment of government dues; would not only rest upon specie collected *in advance* of their issue, and for which they would be the substitute, but the faith of the government would be pledged for their redemption. They might, by way of greater security, be made redeemable in specie at the place of issue, viz., the issues of New York redeemable in New York, etc., etc. Now for the machinery. The greatest difficulty is in the outset. A board of control at Washington, with agencies at prominent points, not more than ten or twelve, *with State banks elsewhere*, gives you the general outline,—*the agencies being the Treasury*, to which power might be granted to receive deposits of gold and silver and issue certificates, which of themselves would enter into circulation at a decided premium, and for which the agency would be entitled to a limited premium. It would be necessary to restrict the amount to be received on deposit, in order to guard the State bank system from utter and hopeless prostration at any moment of reverse. The powers might even still further be enlarged (of which I am in much doubt) by authorizing the agencies, *unless prohibited by the State where located* (See the case of *The Bank of Augusta v. Earle*, in Peters' Reports), to purchase bills of exchange drawn in one State and payable in another, and resting on a really

substantial basis, with not more than sixty days to run. I have proposed the use of State banks in union with the agencies, in doing which I frankly confess that I am greatly influenced by a desire to bring to my support that great interest.

I said that the difficulty was at the outset. How is the board of control and their subordinates to be placed beyond the reach of the executive power? That unfortunate concession to the president of the power to remove stands in the way of everything. What if the commissions were made to run for a given term, instead of being, as now, at the pleasure of the president? Can the two Houses elect? or would it do to confer the offices during good behavior? Unless some such or more available expedient be presented, the charge of the union of the purse and the sword will ring over the whole land. Many more reflections occur to me which I should like to commit to paper for your review, but I have already trespassed much on you, for which I can only plead my great solicitude to have your views. I will only add one remark more, and then relieve you with the expression of a hope that I may hear from you at your earliest leisure. Your position taken in conversation was that good paper would be driven out of circulation by more indifferent. This is true in the general, but is not so considering the condition of the currency now. In many places it is so bad that no one will receive, and every where it is received with reluctance.

Do, my dear sir, turn over your Sibyl leaves and read to me their recorded prophecies. If they augur very badly for me, I may by being forewarned become forearmed. Your early prophecy was of infinite service to me from the moment of my assuming the helm, as without it my ship, already tempest tost, might ere this have been stranded. I am in the condition of Macbeth, without either his ambition or his vices, or other care than to acquit myself with some little honor for my remaining brief career of public life; but I would feign consult the weird sisters or their interpreters, and I know of no one more fully possessed of their counsels as to political events than yourself. If storms are to continue to assail, I would seek to reef my sails and adopt other precautions in order to live out the gale.

I pray you, my dear sir, to be assured of nothing more fully than of my sincere friendship and esteem,

JOHN TYLER.

The system here detailed in the above letter was promulgated by Mr. Tyler in his message in December, 1841. On the 15th Mr. Cushing made a call upon the Secretary of the Treasury for the plan of finance referred to and recommended by the President. Six days after, Forward submitted the exchequer bill to the House, digested into sections, and accompanied by an exposé of the system, drawn though not signed by Mr. Webster.¹ The bill conformed to a pure governmental arrangement like the

¹ Niles, lxi., pp. 257-'60.

postal service of the Union. It had three principal objects in view :

1st. The safekeeping of the government moneys.

2nd. The furnishing, as well for safe and convenient payments to the Treasury as for the use of the country, a *paper* circulation always equivalent to gold and silver, and of universal credit.

3rd. A provision for supplying, to some extent, the means of a cheap and safe exchange in the commerce between the several States.

The measure avoided extremes on both sides. It did not attempt to collect a capital by means of private subscription for the general purposes of loans and discounts, and, therefore, did not propose to perform the ordinary functions of a bank. On the other hand, it did not confine the currency exclusively to a *specie* currency, as the Independent Treasury did, or make no attempt to furnish the country with facilities of exchange. A board of control in the city of Washington and agencies in the States comprised the essential features of the system. The charge of the union of the "sword and purse," which had been brought against the Independent Treasury, was avoided by several very ingenious provisions. The President was forbidden to touch a dollar of the public money, by his own authority, or change its custody. The Secretary of the Treasury could only do so, to meet the occasion of the public service or by a public official act. The board itself was so constituted as to give the majority of its members a commission for a fixed term, one vacancy occurring every two years. For the purpose of a circulating medium, the exchequer was allowed to issue Treasury notes to an amount not exceeding fifteen million dollars. At the several agencies private deposits were allowed and certificates grantable therefor, which then might circulate as so many bank notes, redeemable at the agency whence issued. A charge of a half per cent. was authorized for the care of these deposits, to meet, in part at least, the cost of the establishment. A reserved fund of government stock, not exceeding in amount \$5,000,000, was left to the discretion of the Secretary of the Treasury. And finally, under rigorous provisions against discounting, operations in exchange were permitted to give life to the currency and facilities to the public. But the *sovereignty of the States* were especially considered in that section, which forbade the

agencies to transact any business of a private character against the laws of the States.

So striking were the features of the exchequer for simplicity and economy that the cabinet, on its submission to them by Mr. Tyler in detail, gave it their undivided, nay even enthusiastic, approval. John C. Spencer, whose superior as a financier this country has never known, unequivocally characterized Mr. Tyler's project as the best ever submitted to the public.¹ Webster was so carried away with it as to pronounce it the best expedient ever devised, the Constitution alone excepted.² Indeed, Mr. Webster's approbation was so emphatic that many came to think he must have devised it himself. And Wise shows that the best features of the present prevailing system of finance are taken from Mr.

¹ "It is emphatically the plan of the President, originated and matured by him, with a single modification introduced on the advice of his cabinet. It proposes to attain its objects by the application of powers acknowledged in practice to exist in the government from its foundation. The Treasury department was instituted for the public revenue, its safe keeping and its disbursement according to acts of appropriation by Congress. So a board of control, under the superintendence of that department, therefore, was given the immediate charge of this business, with authority to establish agencies, or employ State banks in its transactions. To these was added the power of issuing Treasury notes to the amount of fifteen millions, selling drafts, receiving deposits, and purchasing bills of certain descriptions. .

"The plan has been approved by some of the most competent financiers of this country and of England, and pronounced to be adequate to all our wants, safe in its operations, and calculated to furnish the most perfect currency that could be devised. So far as the opinion of an individual who has had some experience in such matters, one who it is known to you has had occasion to become acquainted with the abuses to which a national bank is from its nature exposed, so far as the opinion of such an individual is of any value, it is unhesitatingly given, that this plan, in its essential features, is far preferable to any other that has been submitted, and that it will accomplish all the purposes for which it was designed, without hazard to the government, without danger to the people, and without stimulating anew the reckless spirit of speculation, whose excesses we have all such cause to mourn." (John C. Spencer, *Niles*, lxiii., p. 141.)

² Mr. Webster said at Faneuil Hall, September 30, 1842: "The subject of the currency has been the study of my life, . . . And I take the responsibility of saying that the measure then submitted to Congress was the best and the only measure for the adoption of Congress and trial by the people. I am ready to stake my reputation—and it is all I have to stake—upon it, and that if the Whig Congress take the measure, and give it a fair trial for three years, it will be admitted by the whole American people to have proved the most beneficial institution ever established, the Constitution only excepted." (*Niles' Reg.*, lxiii., p. 93.)

Tyler's exchequer.¹ It received also the approbation of some of the other ablest men in the country,—Rives, Preston, Cushing, etc.

But vain were all its recommendations in the face of the opposition of Congress. Clay had not gained a Bank, but he had gained his point of separating his party from the President. To have approved the exchequer would have undone all the political capital of the extra-session; and Clay was not such a fool as to surrender the candidacy in 1844 for any consideration of public welfare. His hopes lay in making Tyler's an unpopular administration; for who otherwise could gain by the thing but Tyler himself? On the other hand, the Democrats, the spoil partisans of Mr. Van Buren, "sought vengeance," and by voting with the ultras on the other side, "promoted the confusion of the party which had broken them down."

Thus, the exchequer lingered in vain at this session, to be finally rejected at that of 1842-'3. With admirable Whig consistency, the government revenues were left in the naked keeping of the President. We need scarcely say, however, that they were kept well.

¹ "This plan of a fiscal system is the very foundation of the present prevailing system, without which the United States could not have been carried through its late civil war. Derided and denounced by the Congress of 1841-'42, it was laid on the table, and was not allowed a consideration until its necessity and expediency were developed by the extreme exigencies of the Union."—*Seven Decades* p. 205.

CHAPTER V.

1841—1842.

"I can say with strict and literal truth, that I have not heard from him (Tyler), nor from any one member of his cabinet, any counsel, opinion, or suggestion unbecoming an honest man and a true lover of his country. I do not believe that we ever had an administration more truly devoted to the public good, nor more free from every corrupt and improper design."—ABEL P. UPSHUR (1842).

TARIFF AND DISTRIBUTION.—MR. TYLER'S COURSE ON THE LAND QUESTION.—LETTER TO TAZEWELL.—CALHOUN'S DEPOSIT BILL.—MR. TYLER'S REPORT ON THE PUBLIC LANDS.—HIS SPEECH IN 1839.—MR. TYLER AT THE EXTRA SESSION.—PASSAGE OF THE BILL FOR DISTRIBUTION WITH THE PROVISIO OF THE COMPROMISE TARIFF.—STATE REPUDIATION.—THE PRESIDENT'S FIRST ANNUAL MESSAGE.—FORWARD'S REPORT.—UPSHUR'S LETTER TO TUCKER.—TRIFLING CONDUCT OF THE WHIGS.—FURTHER LETTERS OF UPSHUR TO TUCKER.

MR. TYLER had fought and killed the Bank at the extra-session; and he was now, at the regular session ensuing, to close in a Herculean struggle with the second great Federal monster, the tariff, made especially protective by that insidious of all taxes, *distribution*. "Revenue tariff and protective duties were confronted one with the other; for the *minus* caused by the distribution of the net proceeds from the public lands had to be covered by a corresponding *plus* in the proceeds of the taxes." But to understand fully Mr. Tyler's course at this time it is necessary to carry the reader back some years in his history. On the subject of the public lands, as on every other subject of his life, he will be found above party, and looking only to principle.

In 1830, when the South and West were allied against the North in the famous debate on Foote's resolution to enquire into the propriety of limiting the sales of the public lands to such lands only as had theretofore been offered for sale, Mr. Tyler heartily approved of the views of Mr. Webster expressed in that debate, so far as they applied to the subject directly before the Senate. He disapproved of Mr. Tazewell's proposition in 1826, to surrender the lands to the new States; and while believing that the price

per acre might be reduced with advantage to one dollar,¹ he had recorded his vote against the graduation bill of Benton, which passed the Senate in that year, but failed in the House.²

During this time the tariff was at its highest, while the national debt promised soon to be discharged. Mr. Tyler, therefore, voted against Mr. Clay's land bill in 1832, since the best chance to reduce the tariff lay in the necessity of wiping out the equivalent of revenue, which Mr. Clay, by his bill, proposed to distribute among the States. Mr. Clay's bill passed both Houses, but Jackson did not sign it. The compromise tariff ushered in a new state of affairs. That was a Southern law, intended to be permanent in principle. After 1842, duties were to be laid for revenue only. The rates being only gradually taken off, a large surplus remained year after year in the Treasury, serving the purposes of corruption. In the absence of a national debt to apply it to, and in view

¹ See Vol. i., p. 407.

² In his report in 1839, to which reference is made further on in the text, Mr. Tyler said: "There is . . . much . . . to fear from the anxiety of the new States to obtain those lands at a mere nominal price, or by actual surrender. Propositions of such character have been often submitted to Congress, and the measure now pending before the Senate of the United States, and repeatedly urged upon that body, under the title of a bill for graduating the prices of the public land, is, in the opinions of this committee, justly liable to this objection. In every point of view in which your committee is able to regard it, it is unwise and inexpedient. It is based upon the idea that, because the *minimum* price of all the public lands is fixed at \$1.25 the acre, that they are intrinsically worth no more, and that, if the richest and most fertile lands are of no greater value, those of inferior quality should be estimated at a lower price. The fallacy of this view is apparent from the fact that lands of the first quality, when brought into fair and open market, clear of all pre-emption claims, and of the combinations formed by speculators, rarely fail to realize prices greatly in advance of the government price. Second and third rate lands will not, with rare exceptions, ever be sought after until those of a superior quality are exhausted. The progress in the settlement of all countries is obedient to this universal law of natural reason. After the occupation of lands of the first quality, those of inferior quality may be brought advantageously into the market, and not before; and with the demand which will then exist the value of such land necessarily enhances. The proposed measure is, therefore, in advance of the wants of society; and if carried into effect would subserve no other purpose than either to reduce the ultimate price of the whole body of those lands to the lowest *minimum* contemplated by the bill, or diminish the number of actual settlers on more rich and fertile locations. The new States have no just cause to complain of the existing land system of the United States. The world has never witnessed, so far as history affords us information, such astonishing results as have arisen under the operation of that system."

of the immense speculations to which it gave rise,—lying loose in the deposit banks,—the enquiry constantly arose: what shall be done with it?

Mr. Calhoun attempted to answer at the session of 1834-'5. In his celebrated report on the executive patronage, he proposed that the Constitution should be amended so as to permit the distribution of all surpluses among the States. Mr. Tyler, at this time, wrote to Mr. Tazewell as follows:

[TO L. W. TAZEWELL.]

WASHINGTON, *February 11, 1835.*

MY DEAR SIR: The accompanying report from the pen of Mr. Calhoun I hasten to enclose to you, with a request that so soon as you give sufficient attention to it, you will favor me with your views in relation to the prominent measure proposed,—the distribution of the surplus revenue. When that measure was suggested, some years ago, by the President, I was most decidedly hostile to it; the tariff was then at its highest, and I regarded the measure as the most thorough tariff measure which had been proposed. Our situation is now certainly changed. A law regulating duties is in force with the consent of the Southern States, and if an economical expenditure was observed a large surplus would remain, which is now employed in corrupting the country. The growth of executive patronage is thus accelerated in a manner truly alarming; the train-bands have doubled in five years. Every department and every office, from the highest to the lowest, is converted into an electioneering machine, and unless a change shall be made in the action of our system, it is destined to a rapid decay. These things, taken in connection with the consolidating doctrines of the day, are calculated to excite much alarm. Any measure, therefore, which looks to an increase of importance on the part of the States is calculated to obtain my support. The distribution of a large surplus would add to that importance by giving greater strength. Sentinels would also be created everywhere over the public expenditures, and thus those disbursements which are now made for popular effect will be directed to strengthening the States.

The surrender of the power to lay duties was a great oversight. The prostration of our numerous villages on our principal rivers is mainly to be ascribed to this. Such at least is my opinion. Now to repossess ourselves of a portion of the revenue arising upon imports is sufficiently inviting. My strong impression is, that if there be any force in these views, the proposed amendment should not be limited as to time. Why not make it permanent? The answer is that it stimulates to excessive taxation on trade; but the very extravagance of taxation cures itself by introducing a new action in society. But I propose to do no more than to invite your attention to this matter and to ask the favor of your views. I have kept myself wholly uncommitted, and am therefore ready to profit by your suggestions.

With the truest regard, I am, dear sir, yours,

JOHN TYLER.

The amendment proposed by Mr. Calhoun turned out impracticable. No promises were ever more deceptive than those held out to the old Antis of 1788 in the terms of the fifth article of the Constitution. Since the early days of the century proposal after proposal had been made to do away with ambiguities in the Constitution, but, like little flowers, they perished by the way-side. "The politicians will break the Constitution," said Mr. Tyler at a later day; "they will never mend it." And sure enough they did. They went further than breaking it, and used the color of the fifth article itself as a mill to grind it into powder.

The resolve was taken of depositing the surplus with the States, pretendedly subject to recall. Three out of four installments were deposited when the crisis of 1837 came, and the last was retained in the treasury. From that time to Mr. Tyler's administration the government continually anticipated its revenues, and depended on the issue of Treasury notes. Still the Whigs ascribed the trouble to the extravagance of Van Buren and the peculations in the public offices. In the Virginia Assembly in 1839, Mr. Tyler made a long and able report on the public lands.¹ Mr. Tyler was not prepared to support the doctrine of distributing, without an amendment of the Constitution, surplus among the States, which was in effect the public aim of Calhoun's deposit bill; but the proceeds of the sales of the public lands stood on a different footing. Revenue raised by taxes could only be applied to the objects expressed in the Constitution, while the public lands were held in trust for the common benefit of the States, and might be applied in the way Congress thought best. Primarily it should be a fund to support the national credit in times of embarrassment; but under a permanent system he went for distribution among the States. Mr. Tyler, in his speech² accompanying his report, was, therefore, very full upon the subject. Distribution, he said, opened a way for Virginia to share in some of the funds which hitherto, under the guise of internal improvement, had been lavished upon the North, simply by the votes of unrestricted majorities. Distribution offered a certain and fixed rule of apportionment, and each State would get its share. It was, therefore, a State-rights measure; and so far as Mr. Clay and the Whigs ad-

¹ Journal of House of Del., 1839, Doc. No. 10.

² *Richmond Enquirer*, February 14, 1839.

vocated it, they were emphatically as opposed to the *loco-focos*, who went against it and the compromise tariff, and in favor of the centralizing scheme of the Independent Treasury—the State-rights party of the Union.

In his speech in 1839, Mr. Tyler thus exposed the features of the distribution policy :

In framing the report which had been submitted to the House, and the resolutions which were thereto appended, the first enquiry which necessarily presented itself was, what would probably be the amount accruing from the proceeds of the sales of the public lands annually to be distributed? In coming to a satisfactory conclusion upon this point he had taken the average annual income for ten years preceding the year 1834, and had rejected from his estimate the income from the same source for the years 1834-'35 and '36. Upon those years no accurate calculation could be based. The enlargement of bank discounts began to be sensibly felt in all the pursuits of life during the first year of the series, and was exhibited in an increase of sales of the public domains, which suddenly advanced from \$2,000,000 to \$4,000,000. The succeeding year witnessed an increase equaling \$12,000,000; and in 1836 a wild, uncurbed, and, he feared, a ruinous spirit of speculation attained the maximum of \$22,000,000. He used round numbers, and without documents before him. It was, therefore, perfectly obvious that no reliance could be placed on calculations founded on the operations of the last few years. He went into no enquiry as to the cause of this most unnatural and bloated condition of affairs, although, if he considered it proper to do so, the task could easily be accomplished. He looked, then, beyond this period—to a period of ten years preceding it—when all was tranquil and quiet in the money market, and speculation was regulated by a sound and wholesome judgment and he deduced, for that period, an average annual income of \$2,000,000. Considering that there had been purchased up in the year 1836 what was equal to a purchase of ten years, he did not anticipate an annual income for some years to come after the money market had become permanently tranquil greater than \$2,000,000.

Having fixed, said Mr. Tyler, the annual income at \$2,000,000, the next enquiry was, whether that amount could be distributed among the States without producing a deficiency of revenue? and if so, how such deficit could be supplied? In order to satisfy myself upon these points, I had necessarily to look into the account of public expenditures, as exhibited to Congress in the various reports made by the heads of departments. My eye quickly rested on the list of appropriations for various objects of internal improvement. The Harbor bill was an old acquaintance, which had made its way into Congress in limited and partial appropriations, a short time before the exercise by President Jackson of the Maysville veto, as it was commonly called. Before that veto, a most unjustifiable, and as he then and still thought, an unconstitutional course of expenditure, wild, wasteful and extravagant, for the internal improvement of the country, applicable to roads and canals, had prevailed. I, for one, hailed the veto of the President with

pleasure, not for the reasons with which he accompanied it, which I regarded as greatly defective, but for the act itself. The President manifested a firmness and intrepidity on that occasion, which, while it reflected credit on himself, was, as I fondly hoped, the sure augury of a better state of things for the country hereafter. But, sir, said Mr. T., my anticipations turned out to be deceptive. The only effect produced by the veto was to drive the appropriations to a great extent from the land to the water, and instead of a diminished, we have now an expenditure greatly augmented.

It was my fortune to be an eye-witness of the course of things, both before and after the Maysville veto. After that bill had been returned with the President's objections, there seemed to me to have been an almost combined movement on the part of all who wished to thrust their hands into the public chest. Appropriations for the improvement of harbors and rivers were asked for from almost every part of the Union,—streams the most contemptible were not overlooked. In short, it was only necessary to ask in order to receive. Mr. Tyler cited as an instance the appropriation for the improvement of Mouzen Creek in the State of Maine, called by way of derision at the time *Mousy Creek*, the appropriation to which had called up to his recollection an effort which was formerly made in this hall many years ago, to improve a small stream somewhere in the Commonwealth, which was defeated by a member having risen and said that the stream would not float the very bill which was in the speaker's hand; but under this *no system* of governmental appropriation, whether the river asked to be improved would float the bill or not, the appropriation was granted by Congress. Let me do General Jackson the justice to say, that I believe he sincerely deplored this state of things, but the combination of interests was too great even for him to resist; and the man who had maintained his firmness in many a well-fought field, and had won undying honor amid the thunder of artillery, yielded to political combinations, and surrendered the Treasury to the plunderers. He thought that he had hit off a wise and politic expedient, when he declared that rivers could not be constitutionally improved above the custom houses. He was no constitutional lawyer, and his expedient had the effect of making the Constitution ambulatory and uncertain. In order, however, to avoid all scruples upon the subject, a gentleman, then and now a member of the Senate, and a warm supporter of that and the present administration, and an esteemed friend of mine, who was quite anxious for the improvement of the Wabash, conceived the idea of asking the establishment of a custom house at the head spring of that river. Nothing undoubtedly could have been better calculated to have thrown ridicule on the President's constitutional limitations. Sir, the appropriations for these unconstitutional objects have gone on increasing, and now the Harbor bill comes annually up in Congress demanding and receiving an appropriation of \$3,000,000.

I did not esteem it necessary, said Mr. T., to look further into the list of expenditures, except so far as to ascertain the share which Virginia enjoyed under this *omnium gatherum* system. The result was pretty much what I had anticipated. She receives nothing, literally nothing. True, \$10,000 were appropriated last year for improving Joyce's Creek, but not for any

benefit to accrue to the State so much as for the advantage of the Navy yard at Gosport, the main purpose being to shorten, by some six miles, the distance from whence a supply of water is obtained for public purposes. Thus, Virginia, who had ceded to the United States, for noble and generous purposes, 100,000,000 of acres of as rich land as the sun of heaven shines upon, although by the terms of that cession, she reserved to herself an equal participation in its benefits, witnesses an amount of revenue exceeding that derived from the sales of public lands annually lavished on other States, and not a dollar voted to her improvement. In my view, sir, this is altogether insufferable. No wonder that, under such an unequal expenditure, others should be rich and we poor. We have a right to insist that these unequal expenditures should cease; and in my opinion, it is the bounden duty of this Legislature, the immediate representative of the rights and interest of Virginia, to speak in a strong and decided tone to Congress. Lop off these items, and distribute the proceeds of the sales of the public lands, and \$1,000,000 is thereby added to the available means of the government to meet its ordinary and constitutional expenditures.

We are incited to this course by other considerations equally imperative. The State owes a debt already of \$9,000,000, contracted for her own improvement, and her great works are as yet but scarcely begun. From whence is she to obtain the means of meeting the annual interest upon this debt, and raising the necessary funds in future to carry out her system of State policy? Are we to fold our arms in apathy under this state of things? Or shall we, with this load of debt upon us, and this unequal expenditure before us, say nothing; or, if we speak at all, utter forth a request to the government, in the language of obsequious flattery, to continue its career of extravagance, or in the loud voice of servility, say to those who administer the government, "Most potent, grave and reverend seignors, we see that you have entirely overlooked the terms of cession made by the old States, that your expenditures are violatory of the Constitution, and are unequal, partial and unjust; but we, the representatives of Virginia, kiss your hands, and pray you to go on in the exercise of your high will"? I cannot believe this of those by whom I am now surrounded.

How are we to obtain our just proportion of this expenditure? We cannot pursue the course of other States, and ask of Congress the appropriation of sums of money towards the improvement of our harbors and rivers; from this we are restrained by the allegiance we owe to the compact of Union, the Constitution of the United States. That Constitution this State has always regarded as high above all consideration of *expediency*, and as she has heretofore opposed, with unwavering firmness, all efforts to win her from its advocacy, so now she cannot be brought to unite in the crusade annually made against it by and through the appropriations to which I have alluded. There is but one course left to pursue, and that is, to demand her equal proportion of the proceeds of the sales of the public lands. Here is a fund held in common for the benefit of all the States—the deeds of cession so declare—and common sense decides that Congress, limited and restrained by the Constitution to the acquisition of ten miles square for the seat of government, can

only acquire and hold lands in the character of a trustee for the benefit of those who are joint partners in the government. It is high time for us to put in our claim to an equal participation in the benefits arising from this common fund.

The member from Prince Edward (Mr. Venable) estimated the amount of revenues distributed by the action of the government to the disadvantage of Virginia at \$85,000,000, and through a resolution which he has notified this House that it is his purpose, by way of amendment to the resolutions reported by the committee, lays claim to our proportionable share of that amount. My regret is inexpressibly great, that we cannot have the co-operation of that gentleman in obtaining our equitable proportion of future sales. I fear that he lets go the substance, and grasps only at a shadow.

The difficulty of obtaining a restoration of what has already been granted is great, if not utterly insurmountable, while our title to an equal participation in the benefits to accrue, and annually accruing, is plain, obvious and palpable. I invite the support of the member to the resolutions, under the confident belief that, as he complains of the inequality in past times, he will, as far as in him lies, protect this State against similar injustice in future.

I put a plain question to gentlemen on all sides of this House: What if, like the Commons of England, we had the power of granting supplies, and Congress, like the King, had the power of expending; or, to draw an illustration from the past history of this country, what if, as under the Articles of Confederation the central government could only raise supplies by requisitions on the States, would this House grant its quota of supplies without requiring the unconstitutional, unequal, and therefore unjust expenditures to which I have before alluded, to be discontinued? Is there a man here who would hesitate as to his course? We would call to mind the noble stand made by our Anglo Saxon ancestors, at various periods in the English history, against oppression in every form; we would cry aloud for justice, and until justice was obtained, we would withhold all supplies.

On the union of distribution and the Compromise tariff, Mr. Tyler said:

I come now to answer an objection which I readily acknowledged to be of controlling influence, if it be well-founded. It is said, that if we are instrumental in procuring a distribution of the proceeds of the sales of the public lands, such distribution may lead to a disturbance of the Compromise act, and to an increase of the tariff of duties. I declare to you, Mr. Speaker, that if I could, in the slightest degree, anticipate such a result, I would be amongst the very first to oppose myself to the measure now under consideration. That act has produced the happiest effects upon the trade and commerce of the country. As a measure of relief it has caused the onerous and oppressive duties imposed by previous laws to fall from 250 per cent. upon many articles to some 50 per cent., and in two years more those duties will rapidly descend on the scale to 20 per cent. All this will have been accomplished in the lapse of a few years, to the benefit of Southern industry and the expansion of the trade and the commerce of the whole country.

But this is not all which attaches me to that great and salutary measure. I remember well the circumstances under which it passed. South Carolina, after having protested and remonstrated, time after time, against the duties for protection, had, with what I regarded as an uncalculating spirit of gallantry, nullified those laws which she esteemed so odious. She resorted to what she claimed to be a peaceful remedy. I differed from her as to the character of the measure. I went into no abstraction. I saw only that the nullified laws, according to the declaration of Mr. Dickerson, made on the floor of the Senate, annually transferred from the South to the North \$12,000,000, and felt convinced that any State who should singly oppose herself to that course of things would be struck at. The advantages to the majority States was too great to be surrendered peaceably and quietly; and so it turned out to be. The then President issued his celebrated proclamation, and Congress, by the passage of the Force bill, placed at his disposal the whole military and naval powers of the Union, and threw open the doors of the Treasury to his free use and disposal; thus, in fact, arming him with more than dictatorial authority. Against that odious measure my name stands conspicuously recorded. I say conspicuously, since it is the only vote recorded in the negative on the third reading and final passage of that bloody bill.

You well remember the mighty agitations of the country at that moment. A revolution had in fact commenced. The guns of Castle Pinckney, which had before pointed to the ocean to guard against the approach of a foreign foe, were then pointed inwardly upon the town of Charleston. The sword of civil war was half unsheathed. If the cock of the Federal government flapped its wings and crowed, the cock of South Carolina crowed also in proud defiance. General Jackson was said to have boasted that at the stamp of his foot he would be surrounded by 100,000 armed men, while Gov. Hayne pointed to Saluda Gap as the Thermopylae of South Carolina, to be guarded and defended by twelve thousand well disciplined volunteers. The whole country was alarmed and agitated. This commonwealth partook of the universal concern, and, devotedly attached to the Union, thought proper in her wisdom to dispatch one of her most gifted sons to Columbia to urge upon the Legislature of South Carolina the adoption of temperate counsels.

In my deliberate opinion, there was but one man who could have arrested the then course of things, and that man was Henry Clay. It rarely happens, Mr. Speaker, to the most gifted, and talented, and patriotic, to record their names upon the page of history in characters indelible and enduring; but, sir, if to have rescued his country from civil war, if to have preserved the Constitution and Union from the hazard of total wreck, constituted any ground for an immortal and undying name among men, then do I believe that he has won for himself that high reward. I speak of what I do know, for I was an actor in the scenes of that perilous period. When he rose in that Senate chamber, and held in his hand the olive branch of peace, I, who had not known before what envy was, envied him. I was proud of him as my fellow-countryman, and still prouder that the slashes of Hanover, within the limits of my old district, was his birth place.

Let me not be misconstrued. I seek to stir up no party feelings. I have

spoken of Gen. Jackson in a spirit of candor and justice, and I do the same of Mr. Clay. Heaven forbid that I should be so unworthy of my place here as not to do full justice to all men. *But I give no pledges. I speak of the past, not of the present or the future.*¹ I repeat, then, Mr. Speaker, that I should be the last man to disturb the Compromise act. Nor is there any danger of its being disturbed. Mr. Clay is alike its author and the author of the Land bill. Can any man believe that he would be so regardless of his own future fame, as to remove from under him the broad pedestal on which that fame must mainly rest?

"I give no pledges," said Mr. Tyler; "I speak of the past, not of the present or future." This he said in allusion to the candidacy of Mr. Clay, and the movement in the Legislature to elect Mr. Rives. Mr. Tyler was one of those rare men who could always do all mankind justice. Having done justice to General Jackson and Mr. Clay, he proceeded, in commenting upon the permanency of the compromise and soundness of the principle of distribution, to say in regard to Mr. Benton:

But we are to be alarmed at the idea of a deficit; and even at the moment that this alarm is expressed here, what is it that is borne to us from Washington? An offer is made of one-half of the lands to the new States and is scornfully rejected. Nothing less than the whole will satisfy. We are told that at the next census the sceptre will have departed from the old States and be grasped by the new. A new rule of morals is then to be established: *Voluntas pro ratione* is to be the doctrine of the new States. Their will is to be the law, and reason is to be dethroned. Are we to disregard a threat so boldly and so daringly made? Let me tell you, that neither the threat nor the person who uses it is to be despised. When we consider the rapid increase of population on the part of the new States—when we consider the political influence exerted by Mr. Benton, who, upon another occasion, has stood "solitary and alone," and yet has achieved a result which no man, in the incipency of the measure, dreamed of—there is enough in both views to alarm us and to excite us into action.

The effort is to be made to snatch all the public lands from us—income and all,—and yet now, while we can obtain a part, we are to be terrified at the prospect of a deficit—a deficit in the year 1842,—when the duties shall have been reduced to an average of twenty per cent. Let us look into this thing a little more narrowly. For one, I do not anticipate any considerable decline in the revenue by reason of a reduction of duty. The diminished duty will encourage a greatly increased importation,—the cheaper an article is the greater its consumption. In illustration of this, look to the list of what are called free articles. A few years ago, when subject to high duty, the import

¹ This was said in view of Mr. Clay's candidacy prior to the Harrisburg Convention.

did not much exceed \$10,000,000. Now, since the duty has been abolished, the import equals $\approx 77,000,000$ —thus clearly showing that a tax of twenty-five cents upon the hundred dollars value would yield a higher revenue than a tax formerly of one dollar. So it will be in regard to the protected articles. But, sir, a new element enters into the calculation. In 1843 the duties, by virtue of the Compromise Act, will be substantially increased. The credit system is then to be abolished and cash payments will be required. In addition to which the valuation is to be made according to the home price in lieu of the foreign valuation. The merchants of the country are fully aware of this. There is nothing superior to mercantile sagacity,—and the importation of 1841 and 1842 will most probably exceed that of all preceding years. But, if in this I am mistaken, the Compromise Bill provides for an increase of revenue by the imposition of duties on the articles now admitted free of duty.

Against that class of duties the South has never complained. This operation is equal throughout the Union. Nay, sir, they operate for the most part disadvantageously to the North. Take the article of wine imported from Madeira. Everybody knows that wines are obtained in exchange for Indian corn, and that the hard, flinty corn of the North is mostly used for this trade, while the corn usually raised at the South will not stand a sea voyage. The tea trade to China is carried on exclusively by the North, upon no articles shipped from the South, but upon articles procured in a distant voyage and picked up on other coasts. Our objection to the tariff of protection was that our cottons and tobacco had to be exchanged for woollens and linens, and manufactured cottons, which, when brought here, were subjected to heavy duties, to the great disadvantage of Southern production. How far preferable the imposition of moderate duties on such articles entering equally into the consumption of the whole country to a continuance of that unequal course of expenditure to which I have already adverted.

But, sir, it is urged that the Constitution does not sanction the principle of distribution. That the government has no right to lay taxes in order to produce a surplus for distribution is readily conceded. But the case with the public lands is essentially different. In regard to these, the Congress is the trustee for the benefit of all the States, and must so manage them as will most enure to the advantage of the States. To give them away is to violate the trust; to sell them for greatly less than they are really worth is also to violate the trust. Congress is bound by compact, so far as the ceded lands are concerned, to administer them “faithfully and *bona fide*.” The money arising from the sales must come into the Treasury without regard either to a deficiency or surplus from legitimate sources of revenue. If there was a surplus of millions, no one here would contend that the land offices should be closed. How different, then, in every view, from the ordinary revenues of the government. If the income be too large arising from duties, repeal the duties, or otherwise remodel them. To do that is to carry out the great trust-power of the government; but not so, as I have before said, in regard to the public lands. They must be sold for a fair price, and under proper rules, or the trust is violated. I shall not, then, weary the patience of the House to prove, not only the constitutional, but the rightful power of Congress to distribute

the proceeds of sales, according to some equal plan, so that all the States shall take their equitable share. Such is the express condition of the grants made by the original proprietor States.

Upon this point, the argument urged by the gentleman from Pittsylvania (Mr. Witcher) the other day, must be esteemed conclusive, so far as ceded lands are concerned. The purchased lands acquired under treaties with France and Spain are supposed to rest upon other principles. I cannot see the distinction. Louisiana was obtained in opposition to the most serious doubts as to the constitutional authority to purchase. Mr. Jefferson, the then president, had great difficulties on that score to encounter. The urgent necessity of the case was relied on by him, not so much in justification as excuse of the act of purchase. The Mississippi, the great artery to the immense trade of the West, was liable to be closed by the power in possession of Louisiana, and the whole trade subjected to harassment at her pleasure. The spirit of the West had become restless, and it was manifest that if the Federal government had not interfered, the Western people would, sooner or later, have rescued the country from the possession of a foreign potentate. The *salus populi* was esteemed *suprema lex*, and the purchase was made, ratified and approved.

Such were the circumstances connected with the acquisition of Louisiana. Being acquired unconstitutionally, the only mode of making the retention of the lands constitutional, is to place them upon the footing of the ceded lands; otherwise, there is no rule to restrain the most partial and unjust disposition of them. Liable to no constitutional limitations, subject to no conditions, they would, under any other view, be held at the pleasure of Congress, subordinate only to its ungoverned will. This cannot be so. Howsoever acquired, they were paid for out of a common chest, conveyed to and held by the same trustee, and, by the controlling force of circumstances, liable only to the same disposal as the ceded lands. Any other interpretation would lead to the most disastrous results. To establish one rule for the government of the lands on this, and another for the government of the lands on the other side of the Mississippi would lead, in all probability to civil revolt. The States formed out of the Territories, aided by the old States, would scarcely be willing to submit to rules from which the States formed out of the purchased lands were exempt. But, sir, these arguments against the constitutionality of distributing the proceeds of the sales of the public lands appear to me to be entirely out of place. The distribution of those sales is now annually made by Congress—made in the form of partial, unjust and unconstitutional appropriations, to the improvement of harbors and rivers, etc., in which Virginia does not at all participate.

The question is not whether Congress has the right to distribute, but whether such distribution shall be partial and unequal, or the reverse. This is the true question. The people will so understand it, and the politicians cannot blind them to it. Shall this State insist upon its equal share in this immense fund of the national domain, or shall we, her representatives, refuse to assert her rights, and leave her beggared and impoverished? No other alternatives are presented. I would, if I could, utter this truth to every in-

habitant of our soil. I would exhibit to him, nakedly and unveiled, the present condition of things, and never cease to address him until I had raised in him the determination to assert the rights of his native land—rights resting on compacts solemnly entered into and most grossly violated. All parties, and the leaders of all parties, have concurred in the right of Congress to distribute, not only these proceeds, but all surpluses. Gen. Jackson thrice recommended it. Mr. Clay and Mr. Calhoun advocated distribution under the title of a Deposit bill, and Mr. Van Buren ratified and confirmed it. We ourselves have recognized the principle in all its bearings. We have now in the Treasury $\$2,000,000$, received as our distributable share of the surplus revenue. If it be unconstitutional to grant, it was next to treasonable to receive. Throw back, then, this fund in the face of the government, and tell those that administer its affairs that they have violated their oaths and broken the solemn compact of the Union. Do this, and our constitutional difficulties will have some plausibility. But while we hold on to this amount, our sincerity will not fail to be doubted. Let it be remembered, also, that this two millions is made up as well from the sales of the public lands, the ceded and the purchased, as from the ordinary sources of revenue.

It is but a poor answer to say that Virginia has but received that sum on deposit, to be returned when called for. If this mere play on a word be sufficient to reconcile differences of opinion, I pray you to adopt the term in preference to that used in the resolutions. Require Congress to *deposit* the proceeds of the sales in equal proportions with the different States, and I shall be content. Congress will understand you to mean a deposit never to be withdrawn, and so will all mankind.

The effort has been made to make this a party question. I have examined it as a Virginia question; I have dwelt upon no party theme; I have claimed for this State her just rights. Let those who refuse to unite with us in this effort cry out "party" to the top of their lungs. Go you back to your constituents and tell them that you did not vote for a just, fair and equal measure because somebody whispered in your ear that it was a party question. Say to them that General Jackson proposed distribution, Mr. Van Buren confirmed distribution, and Virginia accepted distribution, and that you were still not satisfied, because some other person also had the audacity to propose it in regard to the public lands. Tell them that you saw Virginia plundered annually of her just proportion,—the wealth of other States built up at her expense,—but party held you down, party manacled your limbs, party closed your lips. Let the lower-country members, whose constituents already complain for being taxed for the improvement of other portions of the Commonwealth, inform those very constituents that they were justly and fairly entitled to be relieved from onerous burthens, and might have been so if justice was put in practice by the general government, but that they refused to urge the just rights of the State upon none other than party grounds. But most of all, let the Western members be sure to inform their constituents, when they shall ask why such great schemes of improvement remain unexecuted, that there were no funds out of which to pay for them, because they had refused to unite in making a just, reasonable and equitable demand upon the govern-

ment for the just proportion of the sales of the common domain,—and let them still cry, in a loud and thrilling tone, “Party forbade my doing so;” and, under the wing of party, seek to shelter themselves from the just indignation of an excited constituency. Sir, I have served this good old Commonwealth from the days of my earliest manhood, and I feel towards her the affection of a son to the mother who has nursed him. With me her interests are above all party. I would elevate her, as far as I am able, to the proud and lofty position which she once occupied among her sister States,—once she was foremost in power and in moral influence; politically she has become inferior to many. Her elevation to her former rank depends upon the action of the General Assembly. Let her great schemes of improvement be pressed forward; her great central work has too long been talked of; it should awaken all our energies to accomplish it.

Another great scheme also claims our instant attention. I declare to you that I am utterly unable to estimate the immense results destined to flow from the completion of the great South-western improvement. When completed to Knoxville, in Tennessee, how rapid will be the transit to and from New Orleans and the extreme boundaries of the Union. No man can well calculate the immense results of carrying out this great scheme. But, Mr. Speaker, with an empty and beggared Treasury nothing can be done; and I have, therefore, only, in conclusion, to say, demand your just rights, and cease not until you have obtained them.

Mr. Tyler’s views on distribution never underwent any change throughout his life. As President of the Peace Convention in 1861, he proposed anew the policy, with the proviso that it should cease “in case of actual war with a foreign nation, or imminent peril thereof.”¹ When he became President, there seemed ad-

¹ In the Peace Convention Mr. Tyler proposed an amendment to what was called the Peace Convention Plan, and in the course of his remarks spoke as follows:

“The latter branch of the amendment looks to the annual distribution of the net proceeds of the sales of the public lands among the several States. This was one of the favorite ideas of Henry Clay. His argument upon this subject, to my mind, was always conclusive. Will the party which has adopted his principles repudiate this, or will its members put their feet down firmly and give it their support?”

“I have watched the operations of this government with great interest and care, and have noticed that every approach toward making each source of revenue or expenditure separate and independent of all others, tended to the profit and advantage of the government, and increased the chances of securing honorable and honest agents to transact its business. A marked instance of this will be found in the administration of the affairs of the post-office department.

“And here I cannot refrain from relating an anecdote which is strongly in point, and which forms one of the pleasantest recollections of my own connection with the administration of the general government. Upon a certain occasion I called my cabinet together. Sad complaints had been made concerning the ad-

ditional reason for it from one important point of view. The States were in debt \$200,000,000. Distribution would enable them to pay about twenty per cent. of the interest thereon. The State credit preserved would give a healthy tone to commerce. True, the calculations, formed on reduced duties, of increased revenue had been strangely disappointed; and it was known that Van Buren had left behind a debt. On the estimates of the past year there would be a deficiency of \$11,406,132.98 after meeting the current

ministration of several of the departments, and the press had not failed to predict heavy losses to the government through the dishonesty and defalcations of its agents. I determined that I would know what the facts were, and I directed all the departments to furnish me, by a certain day, with a correct and accurate list of all their defaulting employees, and on the same day I summoned my cabinet to consider these reports. The lists came in from the several departments, and I assure the Conference that they were formidable enough to give ample occasion for anxiety. [It is hardly necessary to say that these lists went off into vapor or contained cases of neglect in conforming to the letter of the law, or cases where claims of government employees upon the government were sent to the courts for adjudication. *Executive Doc.*, [150] 1845.] But the list from the department of the post-office was not forthcoming. My friend, Gov. Wickliffe, was at that time at the head of that department. The day of the cabinet meeting arrived. We were all assembled but the Postmaster-General (Governor Wickliffe). We waited a long time for him and for his report. At length he came, bringing his report with him, but with the marks of great care and anxiety upon his brow. *He had discovered a defalcation* in his department. He had been occupied for a long time in tracing it out, but he had at length succeeded. He came to announce to the President that the postmaster of a certain 'cross-roads' in Kentucky had absconded and defrauded the government out of the sum of *fifteen dollars*, and, worst of all, his bail *had run away with him!*

"This is only one of the many proofs which my own experience would furnish of the propriety, if not the necessity, of keeping each department of the government by itself; of not connecting it with others, and of making the agents of each department responsible to itself alone. Carry this idea into practice in all the departments of the government, and a better class of agents would be secured, and the loss by defaulters would be much lessened. The enormous increase of the expenditures of the general government might, by the same process, be prevented. How does it happen that in time of peace the expenses have risen from twenty-three millions of dollars up to seventy or eighty millions? In the same proportion the sum to which they will reach in another decade will be frightful. It is high time that a stop was put to this lavish expenditure, and especially to the losses by dishonest agents. The plan here proposed will give you a starting point. The proceeds of the vast domain of the public lands are now so mingled with the other expenditures of the government that no one can tell what becomes of them. They are now common plunder. Divide them among the States, and they will be saved—they will be applied to some worthy object—and you will have adopted a principle which, after a little time, under any honest administration, will be applied to the other departments of the government."—*Chittenden's Debates*, p. 333.

expenses and redeeming the Treasury notes then outstanding, amounting to \$5,280,000. Nevertheless, Mr. Tyler was assured by Mr. Ewing that the doing of what Mr. Van Buren had hitherto criminally neglected to recommend, viz.: imposing, according to the terms of the compromise, rates up to twenty per cent. on articles like wine, hitherto admitted free, would make a loan at the present time a mere temporary expedient.¹ Accordingly, Mr. Tyler, besides recommending a bankrupt law for the relief of the 100,000 insolvent debtors of the country,² recommended also for the relief of the States the distribution of the proceeds of the sales of the public lands.

A bankrupt bill, a loan bill for \$12,000,000, and a distribution bill, were consequently passed at the extra-session, and received the President's signature.

The distribution bill, however, contained the proviso that the distribution should suspend whenever it should be found necessary to raise the tariff above the twenty per cent. of the compromise act. In his speech in 1839, Mr. Tyler had emphatically expressed himself in favor of such a proviso. He had even offered a resolution amending his report at that time by declaring that distribution must cease with the Compromise act.³ So, also, in his message at the extra-session, the tariff act of 1833 and distribution

¹ "At the opening of the extra-session, upward of twelve months ago, sharing fully in the general hope of returning prosperity and credit, I recommended such a distribution; but that recommendation was even then expressly coupled with the condition that the duties on imports should not exceed the rate of twenty per cent., provided by the compromise act of 1833. These hopes were not a little encouraged, and these views strengthened, by the report of Mr. Ewing, then Secretary of the Treasury, which was shortly thereafter laid before Congress, in which he recommended the imposition of duties at the rate of twenty per cent., *ad valorem*, on all free articles, with specified exceptions, and stated, "if this measure be adopted, there will be received in the Treasury, from customs, in the last quarter of the present year 1841, five millions three hundred thousand dollars; in all of the year 1842, about twenty-two millions five hundred thousand dollars; and in the year 1843, after the final reduction under the act of March 2, 1833, about twenty millions of dollars;" and adds, "It is believed that, after the heavy expenditures required by the public service in the present year shall have been provided for, the revenue which will accrue from that or nearly a proximate rate of duty, will be sufficient to defray the expenses of the government, and leave a surplus to be annually applied to the gradual payment of national debt, leaving the proceeds of the public lands to be disposed of as Congress shall see fit." — *Tyler's second tariff veto message*.

² See President's Special Message, *Statesman's Manual*.

³ *Journal House of Del*, 1839, p. 68.

were declared inseparable; and Rives, Archer, Berrien and other Whigs concurred with the President, and made the distribution bill of September 4th, 1841, emphatically express this view. Preston, indeed, could not be induced to vote for the bill under any modification,—viewing the deficiency in the revenues, like Wise, Gilmer, and Mallory, as a permanent one instead of a temporary one, as the President did. “The limitation of the compromise was not only deliberately concurred in at the extra-session by the House of Representatives, but was the sole condition,” said Mr. Rives, at the next session, “of its passage through the Senate, and the *sine qua non* of my own vote for it.” So completely dishonest, however, were Clay and his followers, that it cannot be doubted that their apparent concurrence with Rives and his friends in the amendment was taken with a view to a bolder step in the near future. Even under Van Buren they had shown symptoms more than once, while loudly applauding the compromise tariff, of a disposition to re-enact a protective tariff; and at this very extra-session an abortive attempt to authorize a tariff commission to sit during the vacation was made. As it was, the distribution bill, even with the *proviso* of the compromise act, was passed only by a bargain with the party in favor of a bankrupt law, headed by Robert J. Walker, the State-rights Democratic senator from Mississippi.

The calculations of the President in recommending the distribution of the land-proceeds, would, notwithstanding the darkness of the times, have probably not been disappointed, had it not been for a totally unforeseen contingency. Benton spoke of the exultation with which the news of the first vote on the Distribution bill had been received in Wall street, and the effect which it immediately had in raising State stocks. He also referred to a London publication and the visit of two London capitalists to the capital at the then extra-session, all looking to the Distribution bill to raise the value of the stocks in their hands.¹ So sanguine were the Whigs that Fillmore made the loan at the extra-session redeemable in *three* years instead of *eight*, as was recommended by the Secretary of the Treasury.² But the joyful effects that

¹ *Congr. Globe*, 1841, p. 387.

² “It is in vain to allege that a deficit in the treasury was known to exist, and means taken to supply it by loan when the (Distribution) act was passed. It is

were even confessed by the Democrats themselves, were quickly dissipated before a new and hitherto unheard-of evil which suddenly paralyzed the very heart of the nation, and rendered the most defensive steps necessary. This was State *repudiation*.

Mississippi led the way, and Indiana, Illinois, Pennsylvania and Michigan followed after. Governor McNutt, in his message of January, 1841, recommended, for just or unjust reasons, a repudiation of a portion of the Mississippi State debt. The State elections, held in November, 1841, were overwhelming in favor of the recommendation. The money circles immediately felt the shock. The loan authorized by Congress dragged heavily in the market, and at the period of the meeting of Congress only five millions four hundred and thirty-two thousand seven hundred and twenty-six dollars were negotiated. Still an explanation of this could be found in the shortness of the time that the loan had to run,—a circumstance which confined the negotiation entirely to the home market. When Congress met in December, 1841, the evil had not yet been made fully apparent. Yet the President did not lag in the performance of his duty. With a view partly to a permanent system of revenue, and partly to immediate relief from actual embarrassment, the President recommended, together with the plan for establishing a government exchequer, an extension of the time for which the loan authorized to be negotiated by the act of the last session should be taken, and a revision of the tariff according to the true *principles* of the Compromise act, which in his opinion declared not for horizontal duties of twenty per cent., but for “discriminating” duties levied with a view to the economical administration of the government. And though the President expressed the hope that no such augmentation of the taxes

true that a loan was authorized at the same session during which the distribution law was passed. but the most sanguine of the friends of the two measures entertained no doubt but that the loan would be eagerly sought after and taken up by capitalists, and speedily reimbursed by a country destined, as they hoped, soon to enjoy an overflowing prosperity. The very terms of the loan, making it redeemable in *three years*, demonstrate this beyond all cavil. Who, at the time, foresaw or imagined the possibility of the present real state of things, when a nation that has paid off her whole debt since the last peace, while all the other great powers have been increasing theirs, and whose resources, already so great, are yet but in the infancy of their development, should be compelled to haggle in the money-market for a paltry sum, not equal to one year's revenue, upon her economical system?”—*Mr. Tyler in his first tariff veto message.*

should take place as would have the effect of annulling the land-proceeds distribution act of the session before, he declared that "*so long as the duties should be laid with distinct reference to the wants of the Treasury, no well-founded objection could exist against them.*"

The reader can gather from Judge Upshur's letter the opinions generally entertained of Mr. Tyler's message :

[UPSHUR TO TUCKER.]

WASHINGTON, December 12, 1841.

I sent you the President's message Tuesday, and by this time you have had an opportunity to form your own opinion in regard to it. For my part I think highly of it as a well written and statesman-like document. I also think very highly indeed of the *modest and candid spirit* in which it was submitted to the criticism of the cabinet. If you condemn it, you will have the high authority of the *whole* cabinet against you. I know exactly how much, or rather how little, this consideration is worth in your eyes. But really the message is a good message. It is well received all over the country, and it is not condemned *as a whole* by any one.

The views of the President received a further expression in the report of Forward, dated December 20, 1841. The Secretary agreed with the President that what was especially to be regarded in the Compromise act was its principle, and not the mere maximum of twenty per cent. "Several descriptions," said he, "of imported manufactures and produce would well bear a higher per cent. than twenty per cent." Forward recommended that the tariff should be revised, the exchequer adopted, the extension of the time for which the loan authorized to be negotiated by the act of the last session should be taken, and for immediate purposes, the issue of Treasury notes to the amount of \$5,000,000. Three days later Judge Upshur wrote to Judge Tucker as follows:

[UPSHUR TO TUCKER.]

WASHINGTON, December 23, 1841.

MY DEAR JUDGE: I have two letters from you unanswered. This is the result of circumstances, and not of any will of mine. No one who has not tried it can form any conception of the harassing occupations of a Secretary of the Navy during the sitting of Congress. I have no time that I can call my own, for after the whole day has been devoted to hundreds who have, or think they have, business with me, the same annoyance is kept up until eleven o'clock of almost every night. It is by accident that I have an hour to devote to you to-night.

What shall I say? You have despaired of the Republic, and I am unable to inspire you with any hope. I have despaired, too, long, long ago, but I see

no reason for greater despondency now than heretofore. On the contrary, if anything can be done to preserve our federative system in a sound state, much more is to be expected from the present administration than from any which has been in power for the last thirty years. If you will reflect on the condition in which we found the government you will estimate the difficulties with which we have to contend. We came in *against all parties*, and of course without any support except what our measures would win for us. We knew that the government must go on, and we knew that it could not go on without a party to sustain it. Of course it became necessary that we should *create* a party. On this subject we have consulted together freely and without reserve. We have *all* agreed, without a single exception, that our only course was to administer the government for the best interests of the country, and to trust to the moderates of all parties to sustain us. This is our firm purpose. If there be selfishness in it on the part of any one, it has not shown itself in our consultations. As to myself, you will see, if you will read my report, that I have come up boldly to the mark, and challenged all the consequences of a faithful discharge of my duty. I think the rest have done the same. Spencer certainly has. Perhaps we have erred; the difficulties of our position rendered it difficult to avoid error. But you certainly do Tyler some injustice in supposing that he pays any more court to the *locos* than to the other party. His appointments show the reverse; they are made indiscriminately from both parties, but the greater part from the Whigs. He avoids alike Clay-men and Benton-men, for there is nothing to choose between them. I think that many of his appointments have been injudicious, but they have been made from the best lights before him. Thompson was appointed out of deference to you, and this appointment is condemned as calculated to strengthen Clay. So say some of his *Whig* friends, and you see from this how full of difficulty his position is. I admit that the fiscal scheme was designed as a middle course between the sub-treasury and a national bank. Our object was to take what appeared to be good, and reject what appeared to be bad in each. You will see our design in the cabinet-manifesto or argument accompanying the bill, and published in the *National Intelligencer*. It is the work of two or three of us, but chiefly of Webster. Read it carefully, and see if, under the circumstances of the case, anything else was left for us.¹

¹ Upshur afterwards wrote in regard to the exchequer:

[UPSHUR TO TUCKER.]

“JANUARY 12, 1842.

“No dilatory measure will ensure the purpose; we must act promptly, if we mean to act with any effect. That our plan is not unassailable we all know; but what plan could be presented which would be less so? . . . You are mistaken in supposing that three pens were engaged in writing the exposé which accompanied the bill. Webster was the writer, as is generally known, though of course you will not give me as authority for it. When I mentioned the subject to you, it was not written, and I offered certain views which he promised to incorporate, but he afterward rejected them, probably because they related to, and attempted to, palliate the centralizing tendencies of the scheme. . . . The whole essay, therefore, may be considered as Webster's, and certainly it is an excellent paper, or,

I have tried my best to get hold of your scheme, but, hitherto, without success. I shall certainly continue to try until I succeed. That is the *best* scheme that has yet been presented, and the only one which, in my opinion, would do all the good that is desired, without any of the evil that is apprehended. But I have not been able to convince any leading politician of this truth.¹ The usual objection is *that it could not be carried*, and that even if it could be, it would require too long a time to put it in operation. The truth is, it is extremely difficult to carry any scheme whatever that promises relief to the country. *The moneyed interest is against relief*. At this moment this city is filled with agents from Wall street, who are endeavoring to defeat every arrangement of the currency question. So long as they can keep things in their present state, money will be valuable, and they have money. This is another sore evil against which the administration has to contend. The hostile influences are innumerable, and it will be wonderful indeed if we resist them all. Nothing will accomplish it but a determined purpose to do right, according to the best of our ability. In this purpose I at least shall persevere, and so I believe will all my associates.

My dear Judge, the situation of this country is much more perilous than is generally supposed. The responsibility which rests upon the government is truly great, and diligently do they give themselves to the work that is before them. We may not carry the vessel safely through the dangers which surround it, but it will not be lost through any want of watchfulness in us.

I enclose an argument of Legaré's which I was requested to read, and then to send it to you. I have not had time to read it, but when you shall have done so, send it back with your commentaries.

I shall go to-morrow to Baltimore to spend some days with my wife and child. My wife was called there a fortnight ago, by Susan's sickness. She, Susan, is now better, indeed *well*, but not strong enough to go to school again.

My eyes are weeping with weakness, and my head aching with rheumatism. God bless you. Your friend, A. P. UPSHUR.

as Legaré paradoxically characterized it, it is better than excellent—it is *plausible*. I think the scheme would work well if it were adopted; but there seems to be but little chance of this, since both parties condemn it. At all events, it is the best that we can do, and we must even be satisfied to trust it to its own fortunes."

¹ Concerning Tucker's project, Uphur wrote:

"WASHINGTON, Nov. 5, 1841.

"I cannot make my colleagues converts to your scheme. Spencer is the Ajax Telamon on all questions of finance, and, in my opinion, is worth all the rest of us put together on that subject. He admits that the scheme avoids all constitutional difficulties; that it would work well as a fiscal agent, and afford a perfectly good currency. But he objects that it will be almost impossible to put it in execution, and that it will take more time to do it than can now be spared. You know that my thoughts have run somewhat in that channel, but I have not seen so many difficulties as Spencer has. I shall keep it before the cabinet until something else is resolved upon."

The Whigs were by no means inclined to move at the pace of the executive,—universally as the public necessity was admitted. The old adage which says that it is impossible to “make a silk purse out of a sow’s ear,” was true of the old nationals. Had they not in 1833 preferred war to a reduction of the tariff rates? and what did they care for the wants of the government, so that they might carry out the lesson of Iago, “Put money in thy purse?” Besides, the hopes of their leader, Clay, in the nominating convention three years hence lay in promoting confusion. It was only in this way that he could exclude competitors.

Accordingly, what should Fillmore, the future President, the then chairman of the committee of Ways and Means, do but get up a long contest over the reference of so much of the President’s message as related to the subject of the tariff,—which he contended should *not* go to the committee on Ways and Means, but the committee on Manufactures? Here was the issue of protection direct. The motion was carried, but the State-rights Whigs rallied, and rejected the proposition to authorize the committee on Manufactures to send for witnesses, and take testimony on the subject of the present tariff laws; and, indeed, all action during the session on the bill, as reported by Mr. Saltonstall on March 31st, was defeated.

In the meantime the condition of the government was getting deeply serious. Some excuse might be made for the Whigs in delaying the issue of the Treasury notes as recommended by the administration, since under Van Buren they had opposed the policy as calculated to keep the people in the dark as to the amount of the nation’s actual indebtedness. But such feelings should have yielded to the exigency of the moment, when the demands were peremptory and so little success had been had with their favorite policy of a loan. Not until the 31st of January, 1842, did the Treasury note bill become a law; while the bill extending the time of the loan at the extra-session, which, if promptly passed, would in a measure have excused their remissness in the former case, was delayed in the House for weeks later. On the 6th of March Upshur wrote to Tucker as follows:

WASHINGTON, *March 6, 1842.*

MY DEAR JUDGE: It seems to me that I have a volume to write, and yet I do not know where to begin. . . . You think badly of Tyler. I will not

enquire into all the grounds upon which your opinions rest, but in one respect at least you do him injustice. He sincerely wishes to administer this government in the best way he can, and with reference to the true interest and honor of the country. I can say with strict and literal truth, that I have not heard from him, nor from any one member of his cabinet, any counsel, opinion or suggestion unbecoming an honest man and a true lover of his country. I do not believe that we ever had an administration more truly devoted to the public good than the present one, nor more free from every corrupt and improper design. If it were not so, I should cease to belong to it. As to our measures, let the country judge of them. Nothing has been condemned except the exchequer, and even that has been more praised than censured. Is it not strange, then, that we have no support from any political party? We are denounced in unmeasured terms, but it is altogether for imputed faults. In the meantime Congress does nothing. Why is this? I will tell you. There is a deliberate purpose to make Henry Clay president of the United States, even at the hazard of revolution. The design is to embarrass the administration by withholding all needful facilities for carrying on the government; to distress the people by the severest pressure upon all their interests, in order to throw the odium of their suffering upon the existing administration. I should not be surprised to hear of popular outbreaks in all the large cities, and of desperate measures calculated to overthrow all law and all order. Depend upon it, there never was so dangerous a political party as the ultra Clay-men of the present day. Look at their press. The secret whisper, the insidious scandal, and the open and profligate libel, are the weapons with which they carry on the war. The effect will be decisive—the one way or the other. If the moral sense of the country does not rise against it in disgust, the proof will be complete, that they are without the virtue which is necessary to the preservation of free institutions. My own opinion is that they *will* be disgusted. I do not believe it possible that Clay can be elected; and I feel almost certain that if the people could know the truth, both political parties would shake off their leaders, and come at once to the rescue of the country. Was there ever before such a spectacle as we are now witnessing? Look at Tyler's message, and at the reports of heads of departments. How many important subjects are presented to the consideration of Congress, and how earnestly are they pressed upon its attention! Look also to our foreign relations, particularly with England; how delicate are they, and how imminent is the danger of war! And what, under all these circumstances, has Congress done? They have been three months in session and have not matured a single important measure! They seem to look with absolute indifference upon all the high interests of the country, and waste their time in trifling partizan manoeuvring, or in disgraceful personal squabbles. Now I appeal to you to say if this is fair treatment to the administration. Who is in fault if things go wrong? The government cannot go on without the usual means, and those who alone can furnish the means refuse to do it. Why should the administration be condemned, since not one of its recommendations has been adopted, and not one of its measures subjected to the test of a trial? Depend on it, Judge, the men in power are much more to be relied on

than those who are seeking to turn them out. If the people of this country could look in upon the President and the departments and both Houses of Congress, and understand what is passing in each, I would freely risk my reputation upon the judgment they would pronounce.

Boz has not yet arrived among us, but is daily expected. A very ridiculous fuss has been made over him, which, in my opinion, does no credit to our taste. Shall I give him the books and letter intended for Wilson, or not? I rather suspect that he would prefer not to take charge of them.

Have you received the deed which I sent you for Coke? I am afraid I described the land as lying in the wrong county. I thought it was in York, but am since told that it is in James City. If another one is necessary, please return that to me, and give me the date of Galt's deed to me, and the boundaries of the land.

I have had quite a sharp attack of sickness within the last few days, but am getting up again. My wife is sick in bed, but not seriously ill. She and Susan unite in remembrances to you and yours. I hope your little ones are well through the measles. God bless you all.

Truly your friend,

A. P. UPSHUR.

Your debt to Earnest & Cowles for the china was paid by me. They afterwards sent me your check, which I have collected.

[UPSHUR TO TUCKER.]

I am proud that you approve my report. Nothing would gratify me more than to be able to follow your advice in sticking to my department, and that close. But Congress, I fear, will do little or nothing. They know how delicate and precarious are our relations with England, yet they will not put the country in a posture of defence. How can these men look the *women* of the country in the face, when they are calculating the pence and farthings which it will cost to defend them? Congress deserves a good rebuking for this, and you cannot do a better thing than give it to them. They are certainly as contemptible a set of public agents as ever got together.

[UPSHUR TO TUCKER.]

MARCH 13, 1842.

And now for your share in my Botts affair. If anything will deepen the disgust I feel at the rudeness, wickedness, and vulgarity of that attack, it was that he went out of his way to assail you and the College of William and Mary. He has lost character to such an extent that an attack from him could not injure any one. . . . I have nothing to say in the way of politics. Intelligence reaches us from all parts of the country proving that our *do nothing* Congress is fast falling into contempt with the people. It is the most worthless body of public men that I have ever known or heard of. Clay is the great obstacle to wholesome legislation. When he retires something may be done, and not before.

On the 5th of March the President laid before Congress once more the needs of the Treasury. The commercial stress had now

reached its crisis. Rates of exchange in New York on Mobile, for instance, were as high as twenty cents. State stocks were immensely depreciated. The imports, instead of increasing as the duties came off, kept diminishing. Treasury notes were at a discount. The pay of the army, navy, and civil lists was suspended, and commerce seemed to be at its last gasp.¹

The President, in his message, did not mince matters. The exchequer, which would have obviated the necessity for any further provision for redeeming the Treasury notes required for the service of the present year and payable in the next, had been ignored by Congress. The tariff revision, which had been urged as indispensable, had not occurred. The loan bill had not been revived by its proper extension. A deficit in the treasury would remain at the end of the quarter of \$3,000,000. In view of the delicate state of our foreign affairs, it was absolutely necessary to hurry on the completion of the works of defense and of the vessels under construction. "It is obvious," said Forward, in his accompanying communication, "that the existing state of the Treasury calls for the immediate intervention of Congress, to save the good faith of the government. And no effectual expedient for this purpose is perceived but that of enlarging the term of the loan to a period of at least twelve years, and securing the payment of principal and interest by *pledging a distinct source of revenue for that purpose*."²

¹ See Elliott's Funding System; Gilmer's Minority Report, Niles, lxii., p. 410; Proffit's Speech on the Loan Bill.

² Niles, lxii., p. 30.

CHAPTER VI.

1842—1843.

"Why stand ye here all the day idle?" (Matt. xxii. 6.)—REV. MR. MAFFIT, *in the House of Representatives*, July 25, 1842.

"Other attempts are to be made to head me, and we shall see how they will succeed. J. Q. Adams leads off a new attack shortly, in what I suppose will be a denial to the President of the right to give a reason for what he does,—a privilege which J. Q. A. would readily extend to any free negro in New England."—JOHN TYLER, *July 10, 1842*.

CRIMINAL INACTIVITY OF THE WHIGS.—DISTRIBUTION.—THE "CORPORAL'S GUARD."
—THE PRESIDENT'S MESSAGE OF MARCH 25, 1842.—LETTER OF UPSHUR.—THE ERA OF LITTLE MEN IN CONGRESS.—THE PROVISIONAL TARIFF.—LETTERS OF THE PRESIDENT.—VETO OF THE PROVISIONAL TARIFF.—HE LEVIES THE DUTIES AFTER JUNE 30TH ACCORDING TO THE HOME VALUATION.—THE PRESIDENT'S LETTER TO A FOURTH OF JULY MEETING.—HIS LETTERS TO MRS. JONES AND MR. TAZEWELL.—UPSHUR TO TUCKER.—ADAMS LEADS THE WHIGS IN CONGRESS.—VETO OF THE SECOND TARIFF BILL.—ADAMS' REPORT.—THE PRESIDENT'S PROTEST.—UPSHUR'S LETTER.—PROCEEDINGS ON THE PROTEST.—THE TARIFF BILL RECONSIDERED IN THE HOUSE AND PASSED.—VICTORY OF THE PRESIDENT.—THE PRESIDENT'S LETTER TO TAZEWELL.—CLAY'S DICTATION.—THE FALL ELECTIONS.—ROUT OF THE WHIGS.—DEATH OF MRS. TYLER.—SESSION OF 1842-'43.

EVERY one understood what the distinct source of revenue was to which the President referred as the pledge to secure the payment of the principal and interest of the loan. Fillmore, the chairman of the Committee of Ways and Means, understood it better than most people; but, in almost mockery of compliance, he moved as an amendment to the loan bill that the duties on government imports should be the security offered the creditor,—a proposition which pledged a revenue not adequate to support the current expenses of the government. But Wise was on hand to teach him a different lesson. In the committee of the whole, on the 24th of March, Wise moved to strike out Fillmore's amendment and make the proceeds from the public lands the pledge to float the loan. Wise had already offered the same amendment in connection with the Treasury note bill of January 31st, but had withdrawn it in order not to delay the bill. But the Whigs were now by no means ready to stand by the understanding of the

extra-session, although it was evident to every one that the tariff revision would have to exceed twenty per cent., and our relations at this time with Great Britain were on the verge of war. Clay, on March 1st, had already given his orders in a series of resolutions, which proposed, in one of its sections, to raise the duties above twenty per cent., and in another to continue the distribution policy. In this he broke again the pledges which he had made to Judge White and Wise in the celebrated interview during the session of 1838-'39. Then he emphatically pledged himself not to disturb his compromise, and not to propose a distribution of the land proceeds, except when there was a large surplus in the Treasury.¹ Now, on the contrary, there was a deficiency in the Treasury; and in the inception of any tariff, distribution made it *per se* a protective one. What a joke it seemed that Archer, of Virginia, and Mangum, of North Carolina, who at the last session had insisted on the compromise as the *sine qua non* of distribution, should now record their votes in favor of it without any qualification whatsoever. But the laugh was tenfold greater when one remembered that, in 1832, Mangum, "a stern nothing," had voted against the Bank and afterwards voted for it, and William S. Archer had been elected as anti-Bank, and approved, a few months after, the Fiscal Corporation. Berrien, Jackson's old Attorney General, certainly did deserve some praise, for though he approved a Bank, he would not now go for distribution.

Fillmore now found a peculiar pleasure in visiting upon the heads of the six administration Whigs the cause of the long delay in maturing the financial measures of the session. True, four out of the six of these men,—Wise, Gilmer, Cushing and Proffit,—were giants in their generation, and excruciating thorns in the Whig flesh.

¹ In Hambleton's *Virginia Politics and Life of Henry A. Wise*, page 29, we read: "Upon the subject of distribution of the proceeds of the public lands, he (Clay) said: 'He never proposed a distribution of the proceeds except when there was a large surplus in the treasury. That by his bill, in 1832, he had limited the operation to such a time,—only five years,—as would exhaust the *surplus*. As long as the revenue was required for the payment of the public debt, or for any proper object of expenditure, he would never propose a distribution among the States.'" Compare the account of Wise's interview as here described (1853) with that in the *Seven Decades* and Clay's letter to Tucker, vol. ii. of this work, p. 601.

Henry Alexander Wise was born December 3, 1806, in Accomack County, Virginia. His father, John Wise, was Speaker of the House of Delegates prior to 1800. In 1832, Mr. Wise was sent a delegate to the Baltimore National Convention, where he supported the nomination of Andrew Jackson, but opposed that of Van Buren, voting for P. P. Barbour as Vice-President. In 1833, he was elected to Congress over Mr. Richard Coke, a nullifier. Mr. Wise, however, did not approve the Force Bill, and in the fall of 1833 put himself in determined opposition to Jackson. He soon acquired the reputation of a leader in Congress; and though in 1840 he was only thirty-three years of age, he was already regarded as one of the first men in the nation. Wise was a model of the partisan speaker. He asked no quarter, and, when he was aroused, gave none. He often, out of pure defiance, expressed opinions which, in his calmer moments, he was the last man to justify as a measure of principle. Thus, on the slavery question, he ran into fanaticism; and his positions in Congress are by no means to be taken as significant of President Tyler's views, whose moderation and forbearance were as characteristic as Wise's impetuosity and fire. With a tongue equal to that of John Randolph, Wise was nevertheless as affectionate as a child, and would defend a friend in the last ditch. Of unimpeachable private life, of temperate habits, of ready and impressive eloquence, of an independence that could not brook legislative and party legerdemain, he was the pride of his friends and the terror of his foes.

Thomas Walker Gilmer was born April 6, 1802. Like Mr. Tyler, he was a Crawford man in 1824; a Jackson man in 1828; fell off from Jackson in 1833; was a member and speaker of the House of Delegates; in 1840 was elected governor of Virginia by the Whigs. He came into office to find a correspondence going on between the executives of Virginia and New York, concerning certain fugitive slave stealers, for whom the executive of the former State had made a demand on that of the latter. Gilmer took up the subject with his noted energy, and proved himself in every way a match to the wily arts of Seward. Suddenly, however, a difference arose between himself and the Legislature. That body had been dreadfully offended at the action of Seward, and resolutions were passed at the session in 1840, imposing restrictions on the trade of New York, and invoking the aid of the

other Southern States. Presently the Governor of New York made a requisition on Gilmer for certain fugitive criminals. Gilmer was a man whose word was as good as his bond, and he emphatically refused acquiescence until the call of Virginia had been respected. But the Legislature took a new tack, not exactly consistent with its vigorous course the year before. A resolution was offered disapproving of the refusal of Gilmer, on the ground that a breach of the Constitution and the comity of nations on the part of New York could not justify a similar course on the part of Virginia. Next morning Gilmer's resignation was in the hands of the Assembly, who were perfectly horrified at the result of their action. Gilmer was promptly taken up by the Whigs of Virginia, and sent to Congress, where he soon proved himself "every inch a Whig" in resisting Clay-dictation and a national bank, and ferreting out abuses, winning even the honorable sobriquet of Retrenchment Gilmer.

Caleb Cushing was born in Essex county, Massachusetts, January 17, 1800. He was a man of profound learning, of indefatigable industry, of vast natural ability, of unbending independence, charitable and broad in his views,—in the true sense a lover of his country, North and South.

George H. Proffit was a member of Congress from 1839 to 1843, when he was sent by President Tyler minister to Brazil. He died in 1847. He was characterized by the possession of a fund of wit, irony, sarcasm, and humor that never failed to turn the joke on his opponent.

W. W. Irwin, of Pennsylvania, and Dr. Frank Mallory, of Virginia, were also men of character and attainments.

These men were unquestionably a host within themselves;¹ but

¹ [To MR. HIGGINS.]

SHERWOOD FOREST, *Feb.* 26, 1853.

MY DEAR SIR: What answer shall I, or can I, make to your application to me for aid in accomplishing Mr. Loyall's restoration to the naval agency? When General Harrison was inaugurated, my first act was to address a note to him, urging the retention of Messrs. Loyall and Whittle. He was beset in every way by those who wanted their places, but the good old man invariably replied, "Mr. Tyler says they ought not to be removed, and I will not remove them." This threw the applicants on me in order to produce a recall of my note, but I threw them off or held them at bay; and so when I myself came into office I found them in their places, and there they remained until I left Washington. Two better or more faithful and intelligent officers were not to be found in the Union, and yet the

their principle was that of *independence*, and when they differed from the administration and one another, as they often did, they had the boldness to avow it. Proffit and Wise made merry over Fillmore's attempt to throw the responsibility of delay on their shoulders, when this same gentleman and his friends had given to the world such extraordinary proofs of speed at the extra-session, had the majority in both Houses, and the eye of the Speaker at their beck, and yet had occupied four months in dispensing with the services of two clerks, four pages, and one or two messengers.¹

It became evident that the President would not only have to indicate the general wants of the government, but actually go down into the details of legislation. On the 25th of March, 1842, the President sent a special message to the House, severely reproaching them for delay, and recommending the imposition of duties above twenty per cent., and the pledge of the land fund as security for the loan:

unproscriptive Whigs proscribed them, and, in place of Mr. Loyall, Mr. Mallory was appointed; and herein consists my difficulty. I had but a small *corporal's guard*, as Mr. Clay denominated it, in the two Houses, which consisted of some half dozen gentlemen, when I had to sustain the combined assaults of the ultras of both parties. Surrounded by enemies, these six stood by and beat back all assailants. Yes, beat them back and foiled all their efforts. Doctor Mallory was one of them. Can I forget it, or should I do anything to his prejudice? Would it not be as if I warred against myself to move against him or any one of them? Since then he has taken a different route from that which I have followed. He voted for Taylor, I for Cass; he for Scott, I for Pierce. I think he was wrong, and I regret it; but still my obligations to him remain unchanged. There is, then, but one course which I can or ought to pursue, and that is to remain neutral. This conclusion by no means will thwart your views, as it may well be that the Secretary of the Navy in embryo would as soon listen to any other as myself. I am sure you will see in the above considerations reasons for inaction that would influence your own generous heart.

Yes, I should like again to meet my friend Cushing, and our old compeers at Julipi, and among others none more truly than yourself. Arrange the matter of your meeting, and set me down as one of you, health permitting. But I have been badly off during the whole winter, having scarcely stepped beyond my doorway. I am now better, and hope with the return of "balmy spring" to be well again. With best wishes,

Yours faithfully,

J. TYLER.

¹ For Proffit's speech, see *Congressional Globe*, 1841-'2, Append., p. 524. For Wise's, see *Ibid.*, p. 359. One of the more amusing acts of Fillmore was to make Mr. Gilmer responsible for the limitation of the loan at the extra-session to three years instead of eight, whereas Mr. Proffit showed him that he (Fillmore) had introduced it himself.

[UPSHUR TO TUCKER.—*Extract.*]WASHINGTON, *March 28, 1842.*

MY DEAR JUDGE: I am afraid you are right. The corrupt and incompetent men who hang so heavily upon the public prosperity are no worse than others who, if they were removed, would take their place. Depend upon it, the wisest and purest part of the government is the executive. Of course, I speak of them as public men and in their public character; of the private characters of most of them I know but little. The great enemies of the country are in Congress. That body is, as one of the best of them frankly acknowledged to me, *incompetent* to legislate, and even if they were not so, they are so bound and fettered by party ties that they could not legislate to any advantage; there lies the evil. Aspirants for the presidency all over the country are struggling for partisans, and they have completely succeeded in dividing the House of Representatives and Senate between them. Hence the public interests are neglected, and the public faith and honor left to take care of themselves. Now, the only question is, whether the *people* will submit to this or not. . . .

The President's message, sent in two days ago, takes a distinct ground, and certainly a broad and honest one. How *wise* it may be, the country must determine. I wish very much to know what you think of it. I acknowledge it meets my views entirely. The free trade men of the South must relax their principles a little. We shall never maintain specie payments without the aid of our tariff system. The true tariff system is duties *for revenue only*, but so laid as to protect incidentally our home industry as far as can be done without producing a practical irregularity in the action of the laws. At all events, the message *defines our position*. If the country will sustain us, well; if not, we must be content to fall.

. . . . As to Botts, his charges are somewhat *passé*. He is, in my opinion, incapable of hurting any one by any charge he can make. .

It was as Upshur said; Congress was so bound and fettered by party ties and machinations of presidential aspirants, that "they were simply incompetent to legislate." This was due not alone to the bitterness of political animosities, but much more to the inferiority of the general material which was now dignified with the privilege of representing the great interests of the country. It was the era of little men in Congress,—I mean the mass. The politicians had usurped the places of statesmen—like Everett, Tyler, Tazewell, Webster, Calhoun, Choate. The noisy demagogue like Botts, the unscrupulous partisan like Henry Clay, and the furious zealot, John Quincy Adams, whose tongues were saturated with venom, led the mob in Congress whithersoever they would. The rules of Congress had become a most complicated study; and the rule-master was master of a set that stood conscious of its ig-

norance. A habit of the lowest personal detraction spread throughout all ranks of society, proving that the jobber, the speculator, and the wire-worker had done full well their part towards poisoning all idea of public virtue.¹

Along with the Whig aim of a protective tariff was the additional design of breaking down the executive. Both were to be accomplished through the financial distresses of the government. In his speech of August 19, 1841, on the veto of the Fiscal Bank, Clay had tendered the latter issue to the President in his strictures on the veto power. The Whig manifesto, given out at the end of the extra-session, went for "a reduction of the executive power by a future limitation of the veto." A letter of Clay's the next day declared "that the veto—that parent and fruitful source of all our public ills—should itself be overruled by majorities in both Houses." This proposition he formally repeated in a resolution to amend the Constitution introduced by him in the Senate on the 29th of December, 1841, with the further suggestion to take away from the President the power of appointing the Secretary of the Treasury and the Treasurer of the United States. The battle was thus exalted on the part of the President into a struggle, not alone to preserve the conduct of the government, but to defend the best features of the work of the fathers of the Constitution. If he gave way, then this government was no longer one of checks, but one of tyrannical majorities merely.

At length, on the 15th of April, the loan bill became a law; but Fillmore's pledge of an empty treasury made it all but worthless in aid of the government.² But this was designed. For the final charge the Whigs were at great pains to muster their forces with all possible unity and power. They changed their front from Mr. Saltonstall's tariff bill to one from the Committee on Ways and Means, introduced on the 3rd of June, not until after six months of the session had passed by. "This was very surprising," says Von Holst. "The committee itself considered it impossible that it could become a law until the end of the month, and therefore, on the 7th of June, introduced a provisional tariff

¹ Von Holst's Const. Hist., 1828-46, p. 342.

² Up to August 22, 1842, only \$1,836,282.19 had been negotiated of the loan. Of this sum \$1,700,000 was taken at nine-and-a-half per cent. ; the balance at par for six per cent. stock. (Executive Documents, 1842.)

bill. This bill, therefore, had to pass both Houses of Congress, and receive the sanction of the President in twenty-three days, if the day fixed by the Compromise act were not to find the country entirely unprepared to carry out the far-reaching changes in relation to the imposition and levying of taxes. This looked very much as if the majority wished to put thumb-screws on the President. And this must have seemed all the more probable, because the opinion was very prevalent, that according to the provisions of the Compromise act of June 30, no duties whatever could be levied any longer until authorized by a new law, and because the Secretary of the Treasury had committed himself to this view.¹ But Congress had reason to put the President under high pressure, because it had adopted in its provisional tariff bill a provision which Tyler had repeatedly and expressly declared in his official utterances to be unacceptable. According to the law of 4th September, 1841, the distribution of the net proceeds of the sales of the public lands was to be suspended as soon as the duties were raised above the maximum fixed by the Compromise act, and the suspension was to continue until the reason for it was done away with. This clause was adopted in the bill because it was known that without it it would neither pass the Senate nor receive the approval of the President. Although Tyler had held emphatically to this standpoint, in the messages of the 7th of December, 1841, and of March 25, 1842, Congress now demanded that he should surrender it, and esteemed it a great merit that it had spun out the cobwebs of sophistry to cover the retreat. The bill on the provisional tariff exceeded the maximum of the Compromise tariff, and suspended the distribution for the month of July; but it was to be resumed on the 1st of August, although the reduction of duties to that maximum was not promised for the same term, and was not all contemplated by the permanent tariff."²

The following letters passed at this time from the President to Judge Upshur and Judge Tucker:

¹ This Forward seems to have inadvertently done in order to force the Whigs to remove all question on the subject by early legislation. Another mistake of his in the estimates for the year (Executive Documents, 1841-'2, Doc. [156],) which gave the enemy a handle, "has afforded," wrote Upshur to Tucker, "much disquiet to the President and cabinet."

² Von Holst's Const. Hist., 1828-'46, p. 453.

[To UPSHUR.]

WASHINGTON, *June 14, 1842.*

DEAR SIR: I return Judge Tucker's letter, and am in pursuit of his bank project, which recommended itself to me as avoiding all constitutional difficulties, but which, from that very reason, Clay and his cohorts would not touch. I sought to give it an extensive circulation, by putting it in the hand of A., that he might hand it to B., etc. Mr. Rives may have it, and to him I have addressed a letter.

I spoke of the *Madisonian* as being able in its editorials about the time of Clay's retirement, when in fact it was so. Jones whines sometimes too much, but I may be even content with that in preference to the abuse which is daily lavished on me.

I have changed my ground in no respect, and shall not.

Yours truly,

JOHN TYLER.

[To TUCKER.]

WASHINGTON, *June 16, 1842.*

DEAR SIR: I have reclaimed, and now forward to you your project of a bank, which at the time deeply interested my attention, and which I submitted, in consultation, to leading men in the public councils. Its novelty, and at the same time its tendency to reconcile all men to the establishment of an efficient constitutional agent, presented attractions to myself which would have led me to become its ardent advocate could I have found co-adjutors. But it is but too true that the very circumstance of its avoiding the constitutional question, operated as its greatest objection with those who had the control of all things in Congress. Nothing but an old-fashioned Bank would do, and no appeal to the States would be tolerated. Such was the spirit manifested at the extra-session, and such continues to be the tone of feeling.

The recent proceedings in Congress are of the most *ultra* character. The resolution seems to be taken to repeal the proviso in the Distribution act of the last session; and while it scatters among the States with a prodigal hand the sales of the public lands, Congress contemplates an immense increase of burthens, and with difficulty disposes, even at sacrifice, of the public stock. Was there ever such infatuation? The necessities of the country are great, arising from the embarrassments of the Treasury, and will necessarily require an addition to the taxes; but I fear very much that my recommendations, over and over again repeated, of moderation, which is the mother of true wisdom, will be wholly disregarded. We have reached the turning point of our institutions, and I fear that more firmness and wisdom are necessary to carry us safely through the trial than I can in any way lay claim to.

Judge Upshur and myself are both exceedingly anxious to be in Williamsburg on the 4th of July. The desire of being at the convocation of visitors, added to the pleasure of meeting long cherished friends, would carry us thither as fast as steam could convey us; but here is this interminable Congress, and we can do nothing but gaze with a longing eye on the distance.

My resignation may be necessary to enable you to form a board; if so, do consider it tendered, and convey information of the fact to the visitors.

I shall most gladly provide for Mrs. Latham upon the first opportunity.

Be assured of my highest regard and esteem.

Truly yours,

JOHN TYLER.

Hitherto, under the compromise tariff act, duties were allowed a credit, and were assessed as upon the value of the goods at the place of export. After the 30th of June, 1842, the act provided that duties should be paid in cash; and the value at the place of import be taken as the basis, "under such regulations as may be prescribed by law." The Whigs maintained that without new laws no duties could be levied at all. Even had this been the true construction, it made the case all the worse for them. President Tyler had repeatedly urged in his official utterances the propriety of taking the subject in hand, and accurately conforming the regulations then existing to the change in the place of valuation. The Whigs, therefore, had not only not provided any new tariff system, to take the place of the old, but, in spite of their own doubts, had deliberately neglected to save the nation against contingencies, which they were most forward in anticipating.

The month of June drew to its close, and still the provisional tariff bill lingered in the House. The day rapidly approached when the last provisions of the compromise would go into force. Fortunately the President was a man who acted on his own convictions of right and reason, Congress to the contrary notwithstanding. In his opinion the laws in force were plainly sufficient for the collection of the duties. He consulted with his cabinet and Attorney-General, Hugh S. Legaré, who concurred with him.¹ Circulars to this effect were issued by the comptroller to the collectors, under directions from the President, on the 23rd of the month.

On the 25th of the month the provisional tariff at length passed the House. It was promptly returned by the President with his veto, his message giving an eloquent review of the deplorable condition and requirements of the Treasury, and expressing an earnest wish at co-operation with the legislature.

"There was something artificial," says Von Holst, "in the overflowing passion with which the House received the veto message,

¹ The good sense of the President was afterwards vindicated by the Supreme Court, in *Aldridge v. Williams*, 15 Curtis' Supreme Court Rep., p. 268.

since no one could contest the assertion made by Proffit, that every member of the House had certainly expected the veto. Whether Tyler should not have yielded, is a question which might have divided people, (?) but it was ridiculous, after the experience had, to appear astonished that he went into the fight after Congress had, with full consciousness, thrown down the gauntlet to him. It was demonstrably not only the intention of Congress to carry this measure, which it considered expedient, but it carried on a battle based on principle; it wanted to bend the executive under the will of the majority of the legislature. When Proffit asked whether any one in the House doubted what would be the fate of the bill on the definitive tariff, in case the distribution clause was appended to it, he was met with the exclamation, 'We'll give it him.' Bend or break, was, therefore, the watchword of Congress. And it was not its watchword from yesterday only, nor did the more decided Whigs want to express themselves satisfied with a victory in this particular case, or only with their permanent triumph with this particular President. The rhetorical effusions against the veto for the most part failed entirely to take notice of the ground on which Tyler had based it. They were very general unbridled declamations against the veto power. That was the point against which, even long before the outbreak of this last controversy, the storming columns had been directed."

A large gathering of Mr. Tyler's friends occurred in Philadelphia, on the 4th of July, 1842, at which letters were read from Mr. Tyler, Mr. Webster, Mr. Wise, Mr. Upshur, and others. Mr. Proffit addressed the meeting.¹ Mr. Tyler's letter, as belonging to the history of the times, I insert:

To Messrs. Harris, Graves, Mears, Connell, English and Taylor, Committee, etc.:

WASHINGTON, July 2, 1842.

GENTLEMEN: I would most gladly accept your invitation to be present with you on the approaching celebration of the anniversary of American freedom, could I do so consistently with public engagements. These, you must be aware, render it impossible; and I can, therefore, do no more than return you my thanks for your polite attention.

¹ It was at this meeting that Mr. Proffit described the scene with General Harrison, related in the first chapter of this volume. Since then I have come across his remarks in the speech of Watterson, of Tennessee, *Congr. Globe*, 1841-'2, Append., p. 592.

In the administration of public affairs I seek only to carry out the end and design of that great revolution you propose to celebrate. The happiness of the people, founded on measures calculated to advance their prosperity, should be the high object of all those entrusted by the people with the administration of their affairs. With this view, I recommended to Congress, more than seven months ago, a plan of finance and currency, which, while it would contribute to relieve the Treasury, would, in my opinion, furnish circulation equal in value to gold and silver. At the same time, I urged the adoption of a tariff of duties which, while it would sustain the public credit, would afford to the manufacturing interests ample aid. I also invited the attention of Congress most urgently to the condition of the public defenses, and invoked their active agency in giving to the two great arms of the national defense—the army and navy—complete efficiency; and I have repeated to them earnest solicitations, that measures of a decided character should be adopted to restore the public credit, and to elevate the standard of the public faith. If nothing has been done to accomplish any one of these objects, the fault is not with the executive.

For having declined of late to unite in giving away a fruitful source of revenue, from a Treasury which has become nearly exhausted, I have been charged with a desire to dictate to Congress, when my sole object is to carry out a law of this very Congress on the subject of the public lands. The well-kin is made to resound with charges of executive dictation, because I have not seen cause to approve the repeal or suspension of an act passed as late as the 4th of September last.

My reply is, that if it was right to pass that act then, it must be wrong to repeal it now, when the Treasury requires the use of every dollar which it can rightfully claim. Executive dictation! I repel the imputation. I would gladly harmonize with Congress in the enactment of all necessary measures if the majority would permit me. Most gladly would I approve any bill having revenue for its object, and the protection of manufacturing industry as its incident, which should be presented to me unconnected with matters having no necessary affiliation, and which are only calculated to embarrass the executive action. Each branch of the government is independent of every other, and Heaven forbid that the day should ever come when either can dictate to the other. The Constitution never designed that the executive should be a mere cipher. On the contrary, it denies to Congress the right to pass any law without his approval, thereby imparting to it, for wise purposes, an active agency in all legislation.

Excuse the observations which the occasion and the circumstances of the time seemed to invite, and accept assurances, gentlemen, of my regard for each of you individually.

JOHN TYLER.

In what contrast in respect of all that makes virtue and duty and love, to the mad passions that disgraced the nation at this time, are the sentiments of the following letters:

[To MRS. JONES.]

WASHINGTON, *July 6, 1842.*

MY DEAR DAUGHTER: I have been unable sooner to acknowledge the receipt of your last letter to me. My time is so engrossed with this factious Congress that I have scarcely a moment to devote to my correspondence. I write now mostly to say that I regret to perceive that you suffer yourself to be affected by the deportment of the bad people around you. Never give a thought to them. They are entirely unworthy of giving you the slightest concern. What can they do or say to change the good opinion of any person towards you? Be perfectly assured that other people, whatever may be outward appearances, know them most thoroughly, and I would, therefore, have you go along as if they did not exist. In that way you obtain the mastery over them.

Your mother's health is bad. Her mind is greatly prostrated by her disease, and she seems to be quite anxious to have you with her. My opinion was that you should live with us, and I still think that you would be more happy here than elsewhere. John will be in Charles City on court day, and then you must come on. If I could buy a good farm I would do so, but one to suit me is hard to be got. Collier Minge does not speak of selling. I wrote to him upon the subject, and he declines selling.

We had an immense crowd on the Fourth, and splendid fire-works at night; but the most interesting matter was, that I had Alice and Tazewell christened with Priscilla's two children. No one was present but the family.

Give my respects to Harry, and be assured of my constant affection.

JOHN TYLER.

[JOHN TYLER TO ROBERT MCCANDLISH.]

WASHINGTON, *July 10, 1842.*

MY DEAR COL.: I have resolved on this Sabbath morning, which affords me a moment of rest from the turmoil of office, to commune with you, and thereby to repair my *apparent* neglect heretofore. I say *apparent*, and so would you consider it, could you at Williamsburg form the slightest conception of the labors which devolve upon me. My course of life is to rise with the sun, and to work from that time until three o'clock. The order of despatching business pretty much is, first, all diplomatic matters; second, all matters connected with the action of Congress; third, matters of general concern falling under the executive control; then the reception of visitors, and despatch of private petitions. I dine at three-and-a-half o'clock, and in the evening my employments are miscellaneous—directions to Secretaries and endorsement of numerous papers. I take some short time for exercise, and after candle-light again receive visitors, apart from all business, until ten at night, when I retire to bed. Such is the life led by an American President. What say you?—would you exchange the peace and quiet of your homestead for such an office?

So unceasing are my engagements that I rarely ever hear anything of the abuse of the malignants who are perpetually assailing me. The elements are all in motion about me, and yet I labor on in the faithful discharge of my

duties, without being affected by them; or, if the attacks of the malignants come to my knowledge, I only hear them to despise them. I am told that one of the madcaps talks of impeachment. Did you ever expect to see your old friend under trial for "high crimes and misdemeanors?" The high crime of sustaining the Constitution of the country I have committed, and to this I plead guilty. The high crime of arresting the lavish donation of a source of revenue, at the moment that the Treasury is bankrupt, of that also I am guilty; and the high crime of daring to have an opinion of my own, Congress to the contrary notwithstanding, I plead guilty also to that; and if these be impeachable matters, why then I ought to be impeached; but be assured that this is the full extent of my offending. But to be serious, did you ever expect that the State-rights men of the Whig party were to surrender all their long cherished opinions at the dictation of the National Republicans? Did you expect that Clay would have led off the attack on his own Compromise bill of 1833, and his Distribution act of 1841? And yet, because I will not go with him, I am abused, in Congress and out, as man never was before—as sailed as a traitor, and threatened with impeachment. But let it pass. Other attempts are to be made to head me, and we shall see how they will succeed. J. Q. Adams leads off a new attack shortly, in what, I suppose, will be a denial to the President of the right to give a reason for what he does,—a privilege which J. Q. A. would readily extend to any free negro in New England. I suppose that *the Whigs* of James City, Williamsburg and York will readily enlist under his banner, because he is a Whig. The day was when it would have been different, but men's principles change with their political names.

Well, here I am writing about these miserable squabbles, when I meant simply to write you a friendly letter, for no other purpose than to let you see that I was in all things unchanged toward you. And yet I am sure that you would be pleased to know something of our foreign relations. Of them I cannot speak in a satisfactory manner. We are laboring to bring matters to a successful close with Lord Ashburton, but the end is not yet. Mexico, as you will perceive from the newspapers, has broken out in a perfect rage at supposed violations of our neutrality. We shall take good care to vindicate the government from all wrong towards her. Is it not abominable that this miserable Congress should not even yet have passed the Army or Navy appropriation bill, thereby subjecting the country to be brow-beat by the capture of San Jacinto? More than seven months in session, and nothing done.

Does Bellfield look smilingly? Would I were there with you. But the wish is vain. Here I am, because I will not be the merest tool of party—nounced and sought to be made the victim of as base a faction as ever disgraced the annals of history. Again upon politics. Well, it is but fair, since politics have me in their grip.

I have thrown off all restraint in writing to you, because I do not class you with other men.

Be pleased to make my remembrances acceptable to Mrs. McCandlish and your family, and be assured of my constant regard.

JOHN TYLER.

A little later in the month the news arrived that Louisiana, the Whig stronghold of the South, had elected a Democratic governor, and two out of three congressmen:

[UPSHUR TO TUCKER.]

I will give you just enough of politics to say that there are no dissensions in the cabinet. The negotiations are going on without any particular disturbing cause, and the Clay men are *afraid* to impeach the President. I dare say that Botts will attempt it, but even his own party will not sustain him. The election in Louisiana will teach no wisdom to Mr. Clay. He will drive his tools forward in their mad career, and will never believe that he is not in the full tide of success until he finds himself all alone in his glory. This will undoubtedly be his fate.

In pursuance of the patriotic cry to "give it him," the House on the 16th of July passed the permanent tariff with the same distribution purpose as had just evoked the veto. On the 5th of August it passed the Senate. Upon the principle involved the President "did not ask the opinion of his cabinet. He considered the path of duty too clear to be mistaken; between principle on one side and expediency on the other, he had no hesitation, and he returned the bill with his objections."¹

The Whigs had worked themselves up to a pitch of phrenzy. Like the bulls in Borodale, they ran mad with the echoes of their own bellowing; and in this condition resigned the leadership to a man whose acts—and indeed his own account of himself²—at this time prove him to have been, if not wholly, very nearly a political maniac. This was ex-President J. Q. Adams, who on the receipt of the message in the House, the 10th of August, proclaimed the resolve of his party: "War," he said, "was declared; and he admitted now that on the part of the executive himself, there was no retreat without disgrace; and he held that this and the other House of Congress could not retreat without being disgraced

¹ John C. Spencer to Lewis K. Faulkner and others, Nile's Reg., lxiii., p. 142.

² "My mind," says Adams in his Diary, "is in the condition of a ship at sea in a hurricane, suspended by an instantaneous calm. The brain heaves, the head swims, the body totters, and I live in a perpetual waltz. . . . I have now on hand a controversial warfare with John Tyler, President of the United States, bitter personal hatred of five of the most depraved, the most talented, and most influential men of this country—four of them open, and undisguised—C. J. Ingersoll, Wise, T. F. Marshall, and W. Cost Johnston,—the fifth under a mask nameless, and now this trial for treason, which will be at least as much a trial of me as of Pearce himself. The mercy of God is the only anchor of my soul for deliverance from this ordeal."—*Adams' Memoirs*, xi., p. 247.

also. The position was taken on both sides; the issue was given and accepted; and now there was nothing but an appeal to the God of battles,—which might God in his infinite mercy prevent.” Adams concluded by moving to refer the message, containing the reasons assigned by the President for his veto, to a select committee, who should report thereon. Messrs. Wise and Cushing objected to this on the ground that the duty imposed upon the House, by the Constitution, was to “reconsider,” not to “refer.” Nevertheless, the motion of Adams, for which there was no single precedent in our history, was adopted by one hundred and eight to eighty-four.

On the 16th of the month the select committee, appointed under this resolution, reported to the House. There was the majority report signed by John Quincy Adams, the chairman, John M. Botts, Francis Granger, and seven other “malignants;” a minority report, signed by two Democrats, Messrs. C. J. Ingersoll and Roosevelt; and a protest and counter report to the report of the majority, signed by Mr. Gilmer, who could stand alone on any committee. The report of the majority contained a general and violent assault upon both the moral and political character of Mr. Tyler, making but a secondary object of the real subject before the committee. Adams poured out the gall of his bad soul upon the report, arraigned the President on all the questions that had engaged the public attention since his accession, and wound up with declaring the President a fit subject for impeachment,—a measure, however, as it was intimated, not recommended at this time because of a doubt entertained that Congress would not sustain it.

Nothing proved better than this document that Adams’ soul was incapable of expanding to the true measure of greatness. No impartial writer will deny to him a rigid private honesty, vast information, and powers most formidable in the cut-and-thrust of debate. Even the “slavocrats” could admire him for these things. True, there was a vein of eccentric cunning in his nature, which served him many a good turn. He was as bitter in his hatred of the South as Wendell Phillips or Garrison, but his sword was always double edged, and cut twice in one swing. Thus he was the champion in Congress for the reception of petitions against slavery; and yet he was opposed to even the abolition of slavery

in the District without the consent of the inhabitants. He offered a petition at this session to dissolve the Union, and yet coupled it with a motion that a report should be made against it. He denounced the President for opposing the British claim to visit our ships in time of peace on the plea of suppressing the slave trade, and yet was opposed to the concession of the right of search himself. "He would have gone for the annexation of Texas to-morrow," but slavery existed there, and he could not. The Southern measures, according to Adams himself, were almost always right, but because his own eye could see nothing but *slavery*, it followed, therefore, that the Southern man was forever intriguing for *its* perpetuation.

The trouble with Adams was, that his passions were always so furious that he was incapable of carrying through, by peaceable means, any policy, however enlarged. He took delight, like Benton and Jackson, in imagining all sorts of "gorgons and hydras and chimeras dire." In this particular, however, he differed in the following respect from them: Their conspiracies were often fabricated out of whole cloth, while Adams had always a germ of truth to build upon. Yet the results were about the same. For with Adams the facts were always so exaggerated and distorted that his truth served only to make the thing a greater mockery. Back of all his zeal against slavery wriggled the worm of personal hatred to the South. No Northern man had ever been more zealous in the service of the "slavocracy" than he, up to the overthrow of his administration. His negotiation of the treaty of Ghent was only one proof of this; and his numerous appointments of Virginians to office showed either that he was striving for Southern votes, or that the hated "slavocrats" were not such degraded characters after all. After the close of his administration, he straddled the hobby of "anti-Masonry,"¹ (one of those strange associations that

¹ The anti-Masons are well described by Adams himself: "There are in this country, as in all others, a certain proportion of restless and turbulent spirits,—poor, unoccupied and ambitious,—who must always have something to quarrel about with their neighbors. These people are the authors of religious revivals. They formed, in the days of Washington's administration, the germ of the Jacobin clubs. During the last war with Great Britain, they generated the Washington benevolent societies and peace societies. In later times they have bred the Masonic and anti-Masonic societies, the temperance societies, the colonization, abolition and anti-slavery societies; and now they are beating the drum and

mark so frequently the history of the North,) and was returned to Congress charged with the narrow notions of that narrow party, —hating the South and everything that concerned it.

Men thought that it came with very poor grace from Adams to complain of President Tyler for betraying the Whigs, when the memory of his own apostasy from the old Federal party was still fresh in the public mind. True it was that after his election by the House of Representatives in 1824 as a *Republican* president, he espoused measures as latitudinous as those of his father; but this most people regarded as only a double kind of treachery. Then, again, as a Whig, at the last session under Van Buren, he had unequivocally expressed himself as having made up no opinion whatever on the very subjects on which he was now so shamelessly severe; and since this was undeniably so, it did seem unjust in him to hold President Tyler to such strict accountability, especially as the latter had ever treated him with the most scrupulous consideration.¹

But Adams' zeal for the right of petition was a mere bagatelle when compared with the war he had now proclaimed against Mr. Tyler;—

“ . . . black he stood as night,
Fierce as ten furies, terrible as hell,
And shook a dreadful dart.”

Had the man's character permitted it, he might have taken a noble lesson from Mr. Tyler's letter to Clay in 1825, written at a time when the latter and Adams were by thousands believed to have prostituted their character to a dirty species of bargain, through which Adams was to get the presidency, and Clay become secretary of state. How lustily and loudly had he demanded at this same session the right of trial by jury, when Tom Marshall

blowing the trumpet for a holy Sabbath society.”—*Memoirs*, xi., p. 491. To his list, Adams might have added the “Free-lovers,” the “Know-nothings,” etc. In our day we notice the “Salvation Army,” the “Prohibitionists,” etc.

¹ Thus Adams writes in his Diary, April 15, 1841. “I paid a visit this morning to Mr. Tyler. . . . He received me very kindly, and apologized for not having visited me without waiting for this call. To this I had no claim or pretension.” June 12, 1841: “The party at the President's house last evening consisted of about a hundred persons, invited by Mrs. Robert Tyler. . . . The courtesies of the President and of Mrs. R. Tyler to their guests were all that the most accomplished European courts could have displayed.”

brought forward a resolution to censure what was called his constructive treason in offering a petition, signed by certain persons at Haverhill, Massachusetts, praying an enquiry into the expediency of dissolving the Union. For weeks he had driven the House from its regular business in hearing his defense, even going to the extent of calling on the executive and the departments for documents to be used by him; and yet he was brutal enough in the President's case to censure without proof, judge without authority, condemn without a crime and without a hearing, and aid in executing his own sentence without charity or mercy.

How becoming towards Congress the language of the President's message had been which was made the ostensible occasion of this laughable outburst, the report of Messrs. Ingersoll and Roosevelt bore witness as follows: "The President's objections are contained in a respectful message, temperate in tone, persuasive in argument, and developing topics which we believe will meet with popular acceptance. Of the several messages of the same kind, drawn from Mr. Tyler by this Congress, candor and history will acknowledge, we think, that the last is the best, in all the merits of reason, diction, and temper." Under ordinary circumstances the President would have paid no attention to the utterances of Adams, but, however much he might have looked upon the report as Upshur did, "as the mere ravings of bad passions, uncontrolled by either sense or decency," and entirely unworthy of his regard, the matter assumed a very different aspect when Congress, by a majority of ninety-eight to ninety, adopted the report as their own. This elevated it from a contemptible farce into an affair of more serious character. It demanded notice, and Mr. Tyler promptly met it by his celebrated protest, a paper that contrasts with Adams' report in every particular of gentility and decency. The following is a letter written by Judge Upshur at this time:

[UPSHUR TO TUCKER.]

WASHINGTON, *August 11, 1842.*

MY DEAR JUDGE: . . . I cannot agree with you in regard to Clay. In my opinion, he is much the worst of our distinguished men, except Adams. He is one of those men whom Sir Roger De Coverley would have destined to the gallows,—an unprincipled man of talents. He is as ambitious as Cæsar, without any of his generosity—cold, selfish, dissolute and unscrupulous. But the strongest objection to him is the party which supports him. I can give you

no adequate conception of their extreme baseness of every description on paper. Of course I allude only to his supporters in Congress, for I have yet seen no evidence that any considerable portion of the people are inclined to follow him to the vicious extremes of his principles and measures. But it is by these leaders in Congress that he is to be judged, for they all take their lessons from him and obey him with the most servile spirit. Give them their way, and even the little that remains of our Constitution will very soon be overthrown. Have you seen the report of Garrett Davis on the removal of Sylvester? Besides affirming in effect the right of Congress to administer the departments, it directly asserts that that is a favorable time for that body to enlarge its powers, because the President has no party, and is too weak to resist. Thus the executive power is to be put down, and the rule of an aggregate majority substituted for the present distribution of power. Then look at the proceeding on the last veto. It is wholly unprecedented, utterly irregular, and in its tendencies replete with danger. To all this add the thousand evidences which the Whig party has afforded that they pay no sort of regard to the Constitution, nor to the great interests of the country in their eagerness to obtain power, and I think you will agree with me that even Benton and his crew could scarcely be worse than they. What think you of Adams' report? I am at a loss to determine whether it is most discreditable to the statesman, the scholar, or the man. Shallow in its politics, false in its style and diction, and vindictive in its tone and temper, what is it but the mere ravings of bad passions, uncontrolled by either sense or decency! A party that puts out such state papers as that, and under the authority of such a leader, can never command the confidence of the people of this country. But this is not half. To understand fully what sort of people now wield the legislative power of the country, you must be here, and witness their proceedings from day to day. The *Intelligencer* has tact enough to withhold from the public scenes of daily occurrence which cannot be contemplated without disgust. Depend on it, we have nothing to lose from Clay and his followers. Perhaps we have as little to expect from any other party, but I at least am willing to take the chances.

There is no doubt whatever that the treaty with England will be confirmed. I think you will admit when you see it that it is a very felicitous settlement of a very old dispute. It removes every possible cause of dispute with England for years to come. We have also a highly advantageous treaty with Texas. And in addition to all this, the Florida war is undoubtedly ended. So far at least "our weak and vacillating" administration has done very well. I wish with all my heart that parties would let us alone, and then the country would be better able to judge whether we do our duty faithfully or not.
 . . . God bless you all. Yours, A. P. UPSHUR.

Upon the reception of Mr. Tyler's protest in the House, a scene took place which furnished a fitting conclusion to this shameless session. Adams gave way, after a few remarks, to Mr. Botts, who proposed the adoption by the House of the Senate resolutions of

1834, against receiving the protest of Jackson, for which both Mr. Tyler and Mr. Webster had voted. He then moved the previous question, thus cutting off debate. In the absence of a full House the resolutions were adopted by varying majorities, and the next day, the 31st of August, Congress adjourned without giving the President's friends an opportunity to explain the difference in the cases of the two protests. That difference was this: In 1834 the aggressor was plainly the executive, in 1842 the aggressor was Congress. But be this as it may, no attempt was made to impeach the *motives* of Jackson, while the Whigs hesitated not to ascribe to President Tyler a moral, and not merely official delinquency. In his letter of resignation, in 1836, as in his speech on the Seminole war, Mr. Tyler, like the gentleman that he was, gave Jackson credit for most honorable intentions, and condemned merely his official conduct. Quite the reverse of this was the case with the Whigs. Their report was nothing more than a common libel, which, in the case of an individual, would have subjected him to the pains of a criminal prosecution. But there was another material distinction, which, so far as Mr. Tyler was personally concerned, entirely relieved him from the thrust aimed at his consistency. Mr. Tyler, in 1834, had acted under the sense of instructions from the Virginia Legislature, severely condemning Jackson for his conduct in removing the deposits.

The protest was put forth after due consultation with the cabinet. Clay's move on the veto power had, as its ultimate aim, *the people*, since he could hardly have expected to get two-thirds of Congress to vote to submit his proposition in the way of a formal amendment. The President's protest *was a counter appeal*. It remained to be seen who would prevail in this new field of battle.

Mr. Tyler, in fact, had already won the victory on the main point; and, as Von Holst says, he could, therefore, bear the shafts of the baffled Whigs with pretty good grace. The majority of the Whigs were afraid to go before the people without settling the tariff. The President had pointed out to them, in his last veto message, that not only did they propose to reverse the solemn action of the Legislature of the year before, but they had united in the same bill two things that had no necessary connection. "The President could unconditionally repel the reproach that he had, in any way, infringed the prerogative of the House or Con-

gress in respect to raising of revenue. The veto was occasioned by the distribution clause, and the distribution clause contained nothing on the raising of revenue, but on the contrary, provided that the government of the Union should for the benefit of the States renounce certain revenue. To compel the President to yield in the distribution question by means of the tariff question, Congress had coupled the two questions together in one bill; and it had done so at the risk of seeing the distribution question draw the tariff after it, and not the tariff the question of distribution."

Tom Marshall, of Kentucky, nephew of Chief-Justice Marshall, led the breach against Mr. Clay. He got Fillmore to report from the Committee on Ways and Means the tariff bill without the clause relating to distribution. "I made the proposition," said he, "under a load of obloquy and the weight of the most unworthy suspicions. My course was said to be dictated by my hostility to Mr. Clay; that I was feeding an ancient family grudge."¹ The two papers at Lexington, one mile from the home of Mr. Clay, turned upon Marshall with the most furious denunciations for treachery. The peculiar friends of Clay, numbering about thirty in Congress, headed by Adams, sought by every means to defeat the bill. When Fillmore, on the 18th of August, two days after the report of the special committee on the veto message, reported the bill to the House, it was defeated by eighty-five to one hundred and thirteen. Then the moderate Whigs and Democrats rallied in full force. Only four days after, the bill was again introduced and met with a tie—one hundred and one to one hundred and one—and the Speaker decided the question in the negative. A reconsideration was now moved, and amidst tumultuous excitement the bill passed the House by one hundred and five to one hundred and two. In the Senate, on the 27th of August, the bill was adopted by twenty-four to twenty-three. On the 29th it was returned to the House, where a motion to lay on the table was defeated by one hundred and twenty nays to sixty-five yeas. It passed to the President, who signed it on the 30th, while the same day he exploded the protest under the Whigs.

The tariff bill was not such a bill as the President would have provided himself, but it was based in main upon the estimates of Forward, and was viewed and approved, under executive limitations, entirely as a revenue bill with incidental protection. This

¹ *National Intelligencer*, September 7 and 9, 1842, Letter of Tom Marshall.

salutary bill was the first legislative fruits of the policy of the President to depend upon the "moderates of both parties." In the House itself thirty-five Whigs, including Adams, voted against it, while more than twenty Democrats voted for it. And in the Senate four Democrats—Wright, Buchanan, Sturgeon, and Williams—secured the scanty majority of *one*.¹

The talk of "vacillation" had played out. Nothing now was heard but charges of "dictation" and "executive encroachment." The President's moral firmness, in vetoing and directing the levy of the revenue, after 1st of July, was painted as the will of an Eastern despot which could brook no opposition. Adams' report had declared that "submission to executive dictation would be attended with both disgrace and dishonor." Lane, of Indiana, declared that "others might do as they wished, but as for himself he would rather sink the army and navy altogether—he would see the Potomac rise fifty fathoms above the dome of the Capitol—than submit to the policy which might be prescribed by John Tyler." The policy of Arnold, of Tennessee, another of the "mad-caps" of Congress, was "to withhold supplies; they had the power to do it; if not, the liberties of the country were gone!" "Although he was a tariff man," Mr. Arnold said that the permanent tariff "was the most unfortunate measure for the protective tariff system that had ever been enacted in these halls."

The "war" which Adams had declared had resulted badly for him and his whole party. Arnold bitterly reproached his Whig brethren for cowardice, and spoke of "the humbleness with which the majority had bowed their necks to the President's tyranny." Such was his disgust that he intimated that Congress "was a den of thieves who were ready to barter away their liberties and the liberties of the country." The Whigs had introduced a separate bill for distribution. "It was useless and ridiculous," said Arnold, "to waste time by sending this bill to the President. It would be much better to intimate to the President that if he would transmit to them his measures they would register his edicts."

¹ "Would not the article from the *News*, relative to the tariff of 1842, afford an opportunity for the reply that the President had to use his veto twice before he could get it, and that without the votes of Mr. Buchanan and Wright, of New York, it would not have passed. Many Whigs voted against it."—*President Tyler to Robert Tyler, October 17, 1859.*

"The tariff act of 1842, under which undoubtedly the finances were relieved,

Wise laughed loudly at the "family jars" of the Whigs, and scourged them well for their ignominious "vacillation." Until this morning it was John Tyler that promised one thing and did another. His honorable efforts at the extra-session to harmonize with the Whigs had been shamelessly represented as "weakness." But the Whigs had, in the most ludicrous manner, done exactly what they falsely charged to the conduct of the President, with not even the least honorable motive to excuse it. They resolved at the extra-session that distribution should cease whenever the duty rates were raised above twenty per cent. At this session they declared "war" rather than submit to their own decision. Two bills and a report were adopted by them affirming the necessity of distribution. The war proclamation was again made on the 18th, when Fillmore moved to drop the distribution clause. Nevertheless, four days after, the Whigs took another sudden turn at "vacillation," and agreed to say nothing more about distribution. Wise said he hoped after this he would hear no more of the veto—the "one man power." On the 22d of August the tariff bill had been first rejected by *one* man, the Speaker; and on reconsideration had passed the House by *one* man. And such also was its fortune in the Senate.

That Mr. Tyler could change his opinions the following letter to Mr. Tazewell, written on the 26th, demonstrates; but it was such a change as is always characteristic of a high and virtuous firmness, as opposed to stubbornness on the one hand and vacillation on the other:

[TO L. W. TAZEWELL.]

WASHINGTON, *August 26, 1842.*

MY DEAR SIR: Your letter of the 16th upon the subject of Captain Clark's dismissal from the Navy, covering the letter from Mr. Paulding, came duly to hand, and has so far affected my opinion and action on the case as to have led me to send in the Captain's name to the Senate for restoration to the service. His nomination is now pending before that body. His dismissal from the service having been rendered complete by the promulgation of the order of dismissal, no other course seemed to be left but to nominate him to the Senate, and to set forth in the message the reasons for such a step. This has been done, and a copy of Mr. Paulding's letter accompanies the message. It is proper to say, however, that no such paper as Mr. Paulding speaks of

manufactures became flourishing and commerce took new wings. The then condition of the country rendered that act necessary."—*John Tyler to Robert Tyler, October 27, 1851.*

has been found, after the most diligent search; but I have chosen to regard the fact stated by Mr. P. as possessing all the effect of an actually existing record. Had there been any trace of a final decision on the case by the former Secretary, Mr. Upshur would not have ordered the court martial. You will perceive in this, my dear sir, the great weight which your opinions are destined to produce with me, and I shall always be the loser whenever you withhold them. Nor is the frankness with which you have expressed them upon this occasion in the least degree unacceptable to me. I have been so long surrounded by men who have now smiles in their eyes and honey on their tongues, the better to cajole and deceive, that to be shown the error of my ways, whensoever I do err, after a plain and downright fashion, is a positive relief.

Amid all the difficulties by which I have been, and still am surrounded, may I not be permitted to rejoice at the happy termination of our negotiation with England? I trust when the treaty and the correspondence connected with it, which in truth forms a part of it, shall come to be published, you will see nothing to complain of.

Congress may adjourn in a few days. What disposition will be made of the tariff is still very doubtful. The distributionists die hard. I could sincerely wish that the 4th of March was more nearly at hand, but even if it was here present, the future would be by no means certain. The country is torn by faction, and everything is, therefore, in an unsettled state. I shall ere long have occasion to apply to you once more to consult for me your Sibylline oracle.

Be assured of my constant regard, and accept my sincere wishes for your health and happiness.

JOHN TYLER.

Who it was that throughout this whole business had pulled the strings of Lane's and Arnold's tongues, and guided the shaking hand of ex-President Adams in his report, was pointed out by Upshur to Tucker, in his letter of the 18th of August. Unable to endure the mortification of taking part in public measures where he knew defeat was certain, Clay had resigned his seat in Congress March 31st, 1842. The "driver," instead of driving, had been driven. That he made a previous resolve a pretext for now abandoning Washington amounted to nothing, "since he often made such assertions without considering himself bound by them in any way."¹ Mortification, however, was not the only feeling. "Clay's resignation," wrote Adams, "is preparatory to another movement by which the Whigs in Congress are to announce him as their candidate for the next presidential election." "Clay is in pretty good health and spirits," cooed Crittenden, "but I have no doubt he

¹ Von Holst's *Const. Hist.*, 1828-1846, p. 410, note 2.

feels a secret melancholy at the thought of quitting the scenes in which he has been so long engaged. I think I can sometimes perceive a gloom upon him; but his friends here, with almost one voice, agree that it is the right course for him."¹ On the 6th of March, Adams wrote, that John P. Kennedy had asked him the day before to head a list for a dinner to be given to Mr. Clay immediately after his resignation. The Clay flag was then to be raised, and "fire away at Tyler." "I declined," said Adams, "as being superannuated for all public dinners." And then he added very virtuously: "I said I should ask for an exposition of their principles."² This was pretty good, considering the easy virtue of his speech on the Treasury note bill at the last session under Van Buren!

But though in private life, Clay did not cease for all that to direct party measures. This is amply proved by the correspondence of Crittenden,—a correspondence, by the way, that contrasts very strongly with Mr. Tyler's in tone and temper. "If we can only keep up the feeling that now exists," wrote Crittenden, after the first tariff veto, "your election is certain. Tyler is one of your *best friends*; his last veto has scored us all well; it had just reached the convention in Maine, which nominated you and denounced him. It has also a fine effect upon our friends here, and will ensure the passage of our tariff bill, with a reservation to the States of the proceeds of the public lands." A doubt, however, crosses the mind of Crittenden as to the last result: "Suppose Tyler vetoes *that*—what, then, shall we do? Shall we pass the tariff, giving up the land, or adjourn and let all go together? Write me immediately in answer to these questions."

Clay's answer was that "distribution could not be given up without disgrace." He said:

ASHLAND, July 16, 1842.

I think you cannot give up distribution without a disgraceful sacrifice of independence. The moral prejudice of such a surrender upon the character of the party, and upon our institution, would be worse than the disorder and confusion incident to the failure to pass a tariff. Great as that disorder and confusion would be, it would be to give up the legislative power into the hands of the President, and would expose you to the scorn, contempt, and derision of the people and of our opponents. The disorder and confusion

¹ Coleman's Crittenden, i., p. 199.

² Adams' Memoirs, xi., p. 105.

would continue but for a short time, until Congress met again, or was called together, and then let them pass just such another tariff as he had vetoed. The occasion calls for the greatest firmness. Do not apprehend that the people will desert you and take part with Mr. Tyler. They will do no such thing. When the veto comes back, the *Locos* will probably vote with the President; *that* will identify them still further with him, and as, by their vote, they would enable you to pass the bill against the veto, they will have to share with him the odium of its defeat. *But* if, in the contingency which has been supposed, some of our friends *should desert*, let them go; they will find it difficult to sustain themselves against the storm they will have raised around their heads. If they go they can effect nothing but by a union with the whole *Loco party*, and thus attempting to pass a good tariff without distribution. Now, I suppose it will be impracticable to carry the whole *Loco-foco* party, or enough of them, with the deserters, to pass such a tariff. In my view of it, I think our friends ought to stand up firmly and resolutely for distribution. The more vetoes the better now! assuming that the measures vetoed are right. The inevitable tendency of events is to impeachment; but nothing ought to be done inconsiderately, or without full consultation.

I was sorry, therefore, to see our friend Botts allow himself to be drawn out *prematurely* by Mr. Cushing. As to a vote of *want of confidence*, it would be a right thing if you will resolve to follow it up by more stringent measures. The idea of such a vote is drawn from English usage; and there, if ministers do not resign, the vote is followed by other more efficient proceedings. Here, John Tyler and John Jones would laugh at your vote if you stopped there. They would pass a vote of *want of confidence* in you. It would not do to move such a vote in the Senate, because it is the tribunal to try impeachment. It should be confined, *if moved*, to the House. *I am afraid that you would not effect the object of a more thorough identification between the Locos and Tyler.* They would go off upon the ground of its being irregular and unconstitutional, and would say that you *ought to impeach*. If a vote of "*want of confidence*" would be carried by the union of the great body of both parties, its effect would be very great. If it can be carried in the House without any splitting of our party, and *nothing better can be done*, I should think it desirable. You may show these views, if you think them worth anything, to the Speaker and your colleague, and General Green.

Your friend,

HENRY CLAY.

"The more vetoes the better," said Clay,—*"for the party and me."* And so the Whigs got up the second tariff bill, while every effort was made to induce the importers of foreign goods to refuse payment of the duties. Adams called it *ship money*, and advised that, in event of a second veto, the Whigs should at once adjourn, without attempting anything more.¹ The tariff bill was passed with "scarcely a doubt that it would be vetoed." The

¹ Coleman's Crittenden, i., p. 192.

veto came, and Adams prepared his report. "I had yesterday," said he, "a conversation with Speaker White, in his chamber, on this subject, in consequence of a letter which he had delivered to me from H. Clay, who earnestly urges me to take the lead in the approaching crisis."¹ In vain Judge Jackson and Mr. Appleton informed Adams that the blessed manufactories of New England, which had been reared upon the sweat of slavery and the slave trade, would, "in the unanimous opinion of all our friends at home," perish by the Whigs persevering in the refusal to pass a tariff bill without the section securing to the States the proceeds of the sales of the public lands. "I said I was sorry for it, but could not help it." "We look for an able and stirring report," wrote Crittenden, "and take care to stimulate him (Adams) by letting him know that our expectations are high."² But alas! when the crisis came, even the confidential ex-Attorney General went back on the scion of the House of Braintree, and Adams was left alone in his glory. Crittenden voted for the tariff bill.

At length, on the 31st of August, 1842, Congress adjourned. Its second session was longer than any ever previously held. The bill making appropriations for the army lingered until the 23d of August, notwithstanding the imminent danger of war with England and the necessity of building up the prostrate fortifications of the country; so it was with the navy bill. The tariff bill, providing revenue, became a law only in the last hours of the session; and the expense of this long continued meeting had to be charged to Mr. Tyler's administration.

But the day of reckoning was nigh. Upshur wrote that "he had yet seen no evidence that any considerable portion of the people were inclined to follow Clay to the vicious extremes of his principles." The country looked upon the proceedings in Congress with a far different eye from the politicians, and they prepared themselves in the fall election to give full expression to their disapproval.³ The State-rights Whigs could no longer doubt the

¹ *Memoirs of John Quincy Adams*, xi, p. 228.

² Coleman's Crittenden.

³ On the 25th of July, Adams wrote in his Diary: "I went alone this morning to the hall of the House of Representatives, and heard Mr. Maffit preach from Matthew, xx. 6,—last clause of the verse: 'Why stand ye here all the day idle?' Congress have got into so bad repute for neglect of business that there appeared to be a sarcasm couched under the surface of the text that was specially and

rule of National Republicanism when they saw Adams taking the lead of the Whig party in Congress. Least of all could Southern men fail to see that they were making themselves the mere cat-paws of the most hateful Northern nationals. The party whip might drive the men-of-straw in Congress in the wake of one who spat his venom out every day in his Diary and his speeches on "the dirty pack of slave-dealers," "slave-traders," "slave-drivers," "slave-mongers;" but the people were not subject to the same influences. Mr. Tyler's "peculiar friends" might be few in Congress, but they were numerous enough among the people to give the pseudo-Whigs the finishing blow. "Never since the government has existed was president so totally deserted," said Adams, in the December previous; but even while he spoke, the papers brought the news of terrible Whig reverses in New York, Pennsylvania, Georgia, Mississippi and Michigan. Now, in the fall of 1842, the very earth seemed to open under the Whigs. The Whig majority of sixty in the House of Representatives was swept away by a Democratic majority of eighty, while the Whig party sank into a minority of forty in the Virginia Legislature. Adams wrote the rebuke to his own silly and vicious conduct in his own comments upon the election. "All the other elections are excessively disjointed; the Whigs overwhelmed and the Democracy altogether in the ascendant. Caleb Cushing, too, has had a magnificent reception at Newburyport, and the signs of the Tyler party are much stronger than I could have imagined."

In the Bank contest of the summer before the Whigs had attempted to "head" the President, and they had exhausted every art to accomplish their ends; but they had been detected and held up to the just scorn of the world. Frantic with disappointment, they got up the tariff contest to "bend or break him"; and lo! their power as a party had been broken beyond reprieve.

When Congress met at its third and last session, on the 5th of December, 1842, the Whigs were fully broken under the weight of the popular condemnation. How zealously had they entered into conflict with the President, yielding nothing and compromising nothing! and now, when they were called upon to write their last will

very earnestly addressed to the members of Congress, and they were, in bold and unmeasured terms, charged with standing here all the day idle."

and testament, they had nothing to bequeath to their constituents but frog-like croakings about the meretricious union of Tyler and the Democrats—a union which it had been their consistent policy to promote by every means in their power. And pusillanimous indeed was the conclusion of their rule. Under the vicious feelings engendered by defeat, the impeachment of the President was proposed for “high crimes and misdemeanors.” This terrible threat had been thrown out by the ogre of Whig politics in July of the session previous, and had found a place also in Adams’ report. Wise had then taunted the Whigs with being afraid to carry out the plan. The expiring Whigs now rushed into the commission of an act that their better sense had rejected only a few months before.

On the 10th of January, 1843, Botts delivered himself of his impeachment resolutions, with which he had been big so long. But alas for the odious creature! Even many of the extreme Whigs could not endure the odor of the contemptible charges which they contained, and, on the motion to refer them to a special committee for report, they fell still-born, by a vote of eighty-three to one hundred and twenty-seven.

The trials through which Mr. Tyler passed were calculated to embitter any disposition less noble and genial than his own; but, in spite of the trickery and double-dealing which everywhere encompassed him, and must have inspired many an anxious moment, his heart never once lost its golden light, nor his countenance that kind and benignant look which endeared him so passionately to his personal friends.

In the month of September, 1842, died Letitia Christian Tyler, wife of the President of the United States. She had been the victim of paralysis for the four years previous, but with exemplary patience had borne its sufferings. Indeed, in *LIFE*, she was in every respect, as was most truly remarked in the *Intelligencer*, “a wife, a mother, and Christian; loving and confiding to her husband, gentle and affectionate to her children, kind and charitable to the needy and afflicted.”

CHAPTER VII.

1842.

"The President directs me to say, in reply to this, that in the treaty of Washington no topics were omitted, and no topics introduced at the mere discretion of the negotiator; that the negotiations proceeded from step to step, and from day to day, under his own immediate supervision and direction; that he himself takes the responsibility for what the treaty contains, and what it omits, and cheerfully leaves the merits of the whole to the judgment of the country."—DANIEL WEBSTER to *Lewis Cass*, (*Niles Register*, lxiv., p. 79).

"In the late negotiation with the English envoy I acted, of course, by the authority and under the direction of the President. If the immediate labor devolved on me, the constant supervision and final sanction belonged to him. The occasion was doubtless of high importance, and caused many interesting and delicate subjects to come up for consideration and discussion."—DANIEL WEBSTER to *Jonathan Thompson, George Griswold, and others*, (*Madisonian*, November 2, 1843.)

"It is bare justice to the President to say that, in the negotiation of the various and some of them exceedingly complicated provisions of the recent treaty, his suggestions and advice were frequently of the most important character, and facilitated the labors of the distinguished negotiator on the part of the United States, and that to those suggestions and to the readiness with which he devoted himself to the task of assisting in the removal of difficulties, and to the constant, steady, and firm support which he rendered to the American representative, may justly be ascribed much of the success which crowned the negotiations."—JOHN C SPENCER to *Lewis K. Fulkner, William C. Storrs, and others* (*Niles' Register*, lxiii., p. 143).

ESTIMATES OF MR. TYLER AS A STATESMAN.—FLORIDA WAR.—DORR'S REBELLION.—LETTER OF ABEL P. UPSHUR.—DANISH SOUND DUES.—LETTER OF MR. TYLER.—HISTORY OF THE NEGOTIATIONS RESPECTING THE NORTH-EASTERN BOUNDARY.—THE McLEOD AFFAIR.—SEWARD AND THE PRESIDENT.—ARRIVAL OF LORD ASHBURTON.—BEGINS THE NEGOTIATIONS.—ADDRESS OF THE PRESIDENT.—SETTLEMENT OF THE LINE.

WITH what pleasure does the author turn from the petty bickerings and malignant manœuvrings of Congress to contemplate the President in the discharge of his more peculiar executive duties. Had his first year been marked by no other agitations than those which we have enumerated, it would still have ranked in the history of the Union as one of exceptional interest to the American student. But when, superadded to these, we note that a costly and bloody war was raging with the Indians, civil convulsions were shaking the State of Rhode Island, and our relations with England were on the verge of war, from which it seemed almost impossible for any human agency to save the country, the sagacity of the President in meeting and solving all these

difficulties appears almost incredible. Yet even the bitter tongue of Sargent confesses that "the machinery of the government worked smoothly when the executive and legislative branches of the government were most independent of each other."¹

"Mr. Tyler," says Mr. George Ticknor Curtis, "was a man of far more than the average ability of our statesmen."² "His own State papers," says Alexander H. Stephens of Georgia, "compare favorably in point of ability with those of *any* of his predecessors."³ "His tact and talent for a suggestive policy were remarkable," says Wise.⁴ "The selection," said Rives, "of such men as Webster, Calhoun, Legaré, Upshur, and Spencer, proved how far he was above the operation of any unworthy sentiment of jealousy or fear of being overshadowed in the public estimation by his advisers; while his *personal* management of several of the most delicate questions of his administration, I refer more particularly to his broad and comprehensive treatment of the question of the annexation of Texas, and the firmness with which he upheld the cause of constitutional Republican government in Rhode Island against the outbreak of an unlicensed democracy, attested the large and matured statesmanship he had himself acquired in the schools of practical instruction in which he was bred."⁵ "I shall not cease to remember," wrote Webster to a friend in 1845, "his steady and really able co-operation in, as well as his official sanction of my own poor labors in the treaty of Washington."⁶ "With John Tyler," said R. M. T. Hunter before the Confederate Congress, "a great man has fallen in Israel, and in that fall a grand career has been closed."⁷ Even John Quincy Adams confessed that his Texas move was characterized "by equal intrepidity and address."⁸

So say the cotemporaries of Mr. Tyler,—and what must the fair and impartial historian of the future say, (if any such shall ever exist capable of coping with the enormous labor of our national history,⁹) when he comes to estimate the hostile influences

¹ Public Men and Events, ii., p. 142. ² Curtis Webster, ii., p. 211.

³ Stephen's Pictorial Hist. U. S., p. 479. ⁴ Seven Decades, p. 249.

⁵ Rives' remarks on the death of Mr. Tyler. ⁶ Curtis Webster, ii., p. 377.

⁷ R. M. T. Hunter's Remarks. ⁸ Adams' Memoirs, xii., p. 22.

⁹ Parton says, with a great deal of humor, that if there is one character more than another to be sympathized with, the "future historian" is that man. Every lazy writer gives him all the hard work to do.

against which Mr. Tyler labored, the enmity of an infuriated party whose consciousness of wrong imparted additional relentlessness to their persecution, the cold support of others whose defeat had been possible only through his aid, and lastly, and above all, his identification in his last year with a fallen country for whom the victor will always undertake to write?

THE FLORIDA WAR.

To trace minutely the origin and progress of this second contest with the Seminole Indians is beyond the scope of this work. I shall not, therefore, enquire into the justice or injustice of this war in its inception. It began in the year 1835, and continued without cessation until 1842, caused the expenditure of unknown millions of dollars, and the loss of many hundred valuable lives. The first officers of the American army, like Scott, Jesup and Taylor, were employed in the vain attempt to subdue the Indians, and effect their removal to the west. Mr. Tyler's administration imparted unwonted vigor to the operations of the United States troops. Col. Worth, who was now put in command, by combined and simultaneous movements destroyed the Indian strongholds, their canoes and stock, while every inducement was offered to the Seminoles to come into camp, and allow themselves to be transported beyond the Mississippi. In May, 1842, President Tyler sent a message to Congress declaring hostilities against the Indians at an end. To provide protection against outbreaks in the future, until they could all be persuaded to migrate, the President recommended a bill for the "armed occupation" of Florida. A bill was accordingly passed by Congress offering as inducements to settlers a certain quantity of land in the territory, and the temporary loan of muskets and ammunition. The hardy population that this sensible policy attracted to Florida soon relieved the government from all expense in maintaining the peace of the Southern frontier.

DORR'S REBELLION.

It is not a little remarkable that all the more serious outbreaks against order in our national history up to 1861 have occurred in the North. Scarcely a year passes but Niles records some riot or tumult in the Northern cities. This was due to the same cause that has produced so utter an indifference to the true principles of our government in that section,—the prevalence of the foreign

element, who came with views entirely repugnant to republican government. Hence the absurdity so often committed by Northern writers of attributing "allegiance" to the Federal government instead of to the people.

The rebellion of Shays, in 1786; the Whiskey rebellion, in 1794; the Patroon war, in 1839; and Dorr's rebellion, in 1842, are the more considerable of these Northern outbursts.

The facts connected with the last of these are as follows: The government of Rhode Island had not experienced the changes which that of Virginia had undergone. Its constitution was the charter of a Stuart king, and aristocratic in every feature. Although a free State, and the majority of the people were collected in towns, its freeholders were benighted enough persistently to decline the extension of the suffrage. The history of the several attempts to redress these grievances by a change in the fundamental laws of the State dates from its adoption of the Federal Constitution in 1790. At length, in September, 1841, the executive committee of the friends of free suffrage, who had formed themselves into an association, issued a call for a convention to frame a State constitution. The convention met under this call, and without any authority from the Legislature or executive powers in being, proceeded to establish a constitution and a State government. The State became divided between the supporters of the old government and supporters of the new. Bloodshed became an event to be apprehended. The free suffrage men made Thomas W. Dorr governor, and organized a legislature. At this juncture, and before any collision had ensued, S. W. King, the governor elected under the charter, sent a letter to President Tyler, placing him in possession of the prominent facts in the matter of the then unhappy condition of things in Rhode Island. The action of President Tyler was a model of what Federal action should be in a case where a State constitution is disturbed. Born and bred in the "Old School," President Tyler was in no hurry to throw the heavy sword of Federal authority into the scale simply because he had the power so to do. The question presented was one of popular right,—the important and delicate question of suffrage, and its solution belonged peculiarly to the people of Rhode Island. The President, while fully resolved to respect the requisitions of that government which had been recognized as the

lawful government through all time, did not deem it his province to anticipate, in the employment of the military, revolutionary movements against the State. His letter to the Governor of Rhode Island, of April 11, 1842, is a text for the statesman, and it is much to be regretted that the doctrines there laid down have not been more respected by some of his more remote successors at the head of the government, when the question came to be one between a Northern president and a Southern community.

[TO DANIEL WEBSTER.]

DEAR SIR: I have hastily prepared the accompanying letter to the Governor of Rhode Island. Will you glance over it, suggest amendments, and return it to-day?

Truly yours,

JOHN TYLER.

To his Excellency the Governor of Rhode Island:

WASHINGTON, *April 11, 1842.*

SIR: Your letter, dated the 4th instant, was handed me on Friday by Mr. Whipple, who, in company with Mr. Francis and Mr. Potter, called upon me on Saturday, and placed me, both verbally and by writing, in possession of the prominent facts which have led to the present unhappy condition of things in Rhode Island,—a state of things which every lover of peace and good order must deplore. I shall not adventure the expression of an opinion upon those questions of domestic policy which seem to have given rise to the unfortunate controversies between a portion of the citizens and the existing government of the State. They are questions of municipal regulation, the adjustment of which belongs exclusively to the people of Rhode Island, and with which this government can have nothing to do. For the regulation of my conduct in any interposition which I may be called upon to make between the government of a State and any portion of its citizens who may assail it with domestic violence, or may be in actual insurrection against it, I can only look to the Constitution and laws of the United States, which plainly declare the obligations of the executive department, *and leave it no alternative as to the course it shall pursue.*

By the fourth section of the fourth article of the Constitution of the United States, it is provided that the United States shall guarantee to every State in this Union a republican form of government, and shall protect each of them against invasion; and on the application of the Legislature, or executive when the Legislature cannot be convened, *against domestic violence.* And by the act of Congress, approved on the 28th of February, 1795, it is declared that, in case of an insurrection in any State *against the government thereof*, it shall be lawful for the President of the United States, upon application of the Legislature of such State, or of the executive when the Legislature cannot be convened, to call forth such number of the militia of any other State or States as may be applied for, as he may judge sufficient to suppress such insurrection. By the third section of the same act it is provided that, whenever it

may be necessary, in the judgment of the President, to use the military force hereby directed to be called forth, the President shall forthwith, by proclamation, command such insurgents to disperse, and retire peaceably to their respective abodes within a reasonable time.

By the act of March 3, 1807, it is provided "that in all cases of insurrection or obstruction to the laws, either of the United States or any individual State or Territory, where it is lawful for the President of the United States to call forth the militia for the purpose of suppressing such insurrection, or of causing the laws to be duly executed, it shall be lawful for him to employ, for the same purposes, such part of the land or naval forces of the United States as shall be judged necessary, having first observed all the prerequisites of the law in that respect."

This is the first occasion, so far as the government of a State and its people are concerned, on which it has become necessary to consider of the propriety of exercising these high and most important constitutional and legal functions. By a careful consideration of the above recited acts of Congress, your Excellency will not fail to see that no power is vested in the executive of the United States to anticipate insurrectionary movements against the government of Rhode Island, so as to sanction the interposition of the military authority, but that there must be an actual insurrection, manifested by lawless assemblages of the people, or otherwise, to whom a proclamation may be addressed, and who may be required to betake themselves to their respective abodes. I have, however, to assure your excellency that, should the time arrive (and my fervent prayer is that it may never come) when an insurrection shall exist against the government of Rhode Island, and a requisition shall be made upon the executive of the United States to furnish that protection which is guaranteed to each State by the Constitution and laws, I SHALL NOT BE FOUND TO SHRINK FROM THE PERFORMANCE OF A DUTY WHICH, WHILE IT WOULD BE THE MOST PAINFUL, IS AT THE SAME TIME THE MOST IMPERATIVE. I have also to say that, in such a contingency, the executive could not look into real or supposed defects of the existing government, in order to ascertain whether some other plan of government proposed for adoption was better suited to the wants and more in accordance with the wishes of any portion of her citizens. To throw the executive power of this government into any such controversy would be to make the president the armed arbitrator between the people of the different States and their constituted authorities, and might lead to a usurped power, dangerous alike to the stability of the State governments and the liberties of the people.

It will be my duty, on the contrary, to respect the requisitions of that government which has been recognized as the existing government of the State through all time past, until I shall be advised, in regular manner, that it has been altered or abolished, and another substituted in its place, by legal and peaceable proceedings, adopted and pursued by the authorities and people of the State.

Nor can I readily bring myself to believe that any such contingency will arise as shall render the interference of this government at all necessary. The people of the State of Rhode Island have been too long distinguished for their

love of order and of regular government to rush into revolution in order to obtain a redress for grievances, real or supposed, which a government under which their fathers lived in peace would not in due season redress. No portion of her people will be willing to drench her fair fields with blood of their own brethren in order to obtain a redress of grievances which their constituted authorities cannot, for any length of time, resist, if properly appealed to by the popular voice. None of them will be willing to set an example, in the bosom of this Union, of such frightful disorder, such needless convulsions of society, such danger of life, liberty, and property, and likely to bring so much discredit on the character of popular governments. My reliance on the virtue, intelligence, and patriotism of her citizens is great and abiding, and I will not doubt but that a spirit of reconciliation will prevail over rash counsels; that all actual grievances will be promptly redressed by the existing government; and that another bright example will be added to the many already prevailing among the North American Republics, of change without revolution, and a redress of grievances without force or violence.

I tender to your excellency assurances of my high respect and consideration.

JOHN TYLER.

The desire of the executive, from the beginning, was to bring the dispute to a termination without the employment of the military power of the United States; and it was a subject of real congratulation that this leading object of policy was finally accomplished. Information from private sources had led the executive to conclude that little else was designed by Dorr and his adherents than mere menace with a view to intimidation. But when, on the 22nd of June, 1842, it was strongly represented to the President from reliable sources, that preparations were making by Mr. Dorr with a large force in arms to invade the State, which force had been recruited in the adjoining States, and was already preceded by the collection of military stores in considerable quantities at one or two points, Mr. Tyler forthwith dispatched to Rhode Island the Secretary of War with instructions, should a requisition be made upon him by the governor of Rhode Island in pursuance of law, and the invaders should not abandon their purpose, to call upon the governors of Massachusetts and Connecticut for a sufficient number of militia at once to crush the invasion, and to interpose such regular troops as could be spared from Fort Adams, where they had previously been concentrated in order to meet any emergency.

Happily there was no occasion either for issuing the proclamation or for removing the troops from Fort Adams. Information

of these arrangements having reached them, Dorr's troops speedily dispersed.

A convention was shortly afterwards called by due course of legislative authority to amend the fundamental law; and a new constitution, based on more liberal principles than that abrogated, was proposed and adopted by the people.

"Thus," said the President, in concluding his message on the Rhode Island difficulties, "the great American experiment of a change in government, under the influence of opinion and not of force, has been again crowned with success, and the State and the people of Rhode Island repose in safety under institutions of their own adoption, unterrified by any future prospect of necessary change, and secure against domestic violence or invasion from abroad. I congratulate the country upon so happy a termination of a condition of things which seemed at one time seriously to threaten the public peace. It may justly be regarded as worthy of the age and of the country in which we live."¹

The conduct of President Tyler in this affair appears in an even more creditable light when it is remembered that the Dorrites were generally members of the Democratic party, with whom he was accused of intriguing. Marcus Morton, the Democratic governor of Massachusetts, publicly approved the conduct of Dorr. The annunciation of the President, to visit resistance to the regular government in Rhode Island with punishment, was exceedingly disheartening to the ultra Democrats. "Extremes always produce their opposites," wrote Upshur, "and therefore the extreme of democracy must necessarily produce the extreme of despotism. Indeed it is despotism *per se*." So in our Federal politics. Throughout the South John Quincy Adams' men of 1825 had become in 1833 John C. Calhoun men. The *loco-focos* of 1842, Blair, Preston King, Dix, etc., became at a later day members of the Republican party. In our history Federalism and ultra democracy mean always one and the same thing.

[UPSHUR TO TUCKER.]

WASHINGTON, April 20, 1842.

MY DEAR JUDGE: When your last letter was received, I was just about to write to learn what had become of you. I rejoice to find that you are not sick, which I was apprehensive was the cause of your silence.

¹ Stateman's Manual.

I think a little better of our foreign relations than I did before the arrival of Lord Ashburton. It is a fortunate circumstance that such a man was selected in the actual condition of our affairs. He is a plain, common sense, man, who understands our institutions, and correctly estimates our character. He will, therefore, ask nothing which the government has not the power to grant, and nothing which the people will not be likely to approve. Of course, if there be no irreconcilable difference between the two countries they will not go to war. There is in our cabinet a very strong desire for peace, and no honorable means of preserving it will be left untried. I do verily believe that the same disposition is felt by England, and I imagine that this disposition is not much weakened by her recent disasters in the East. The fact is, although she is perfectly prepared to *begin* a war, she is not quite so well prepared to sustain one with a people any way near her match. I think, therefore, she will not be very strenuous in her demands upon us. The negotiations are only *commenced* at this time, but I can clearly perceive that nothing of a serious character has as yet presented itself. I have no doubt that the position of France in regard to the Quintuple treaty has some influence in supporting moderate councils.

But what do you think of our home affairs? Is not Rhode Island setting a fine example to her sister States? This is the very madness of democracy, and a fine illustration of the workings of the majority principle. Knowing what you think of these things, I calculate upon your approbation of what Tyler has done. Really, my friend, I see no end to the progress of these disorganizing doctrines. My only surprise is, that so many of the public prints have taken sides with the revolutionists. If the administration had done the same thing, I have no doubt that every State in the Union would have felt the shock in the shortest time imaginable. This comes of giving the government of the country to those who do not own the country. After all, this is a radical error, and as it is an error which cannot be corrected, I see no alternative but to let things take their course. The end will be revolution, but not in my time nor yours. Extremes always produce their opposites, and, therefore, the extreme of democracy must necessarily produce the extreme of despotism. Indeed, it is despotism *per se*.

One word more of politics. Have you marked the course of Mr. Adams of late? I think that he is a very great knave, or a very great fool. For myself, I think he is something of both. The doctrine that a commander of a Northern army called in to suppress an insurrection among our slaves has a perfect right to declare them free, is quite a new discovery in constitutional law. Depend upon it, these societies do not mean to give up the game. Sooner or later, we shall have to take the ground—that which we ought to have taken long ago—that is, to say to these people distinctly that they must leave us to manage our own affairs in our own way, or else that we shall assert that right in the mode which may seem to us best. “Of all the cants,” etc., etc., the cant of these pseudo-philanthropists is the most contemptible.

Enough of politics. I am apprehensive that what I write on such themes contributes to keep you in bad humor with public affairs. It is more pleasant to me to tell you—what I know you will be pleased to hear—that my brother

is now with me in better health and spirits than I have seen him enjoy for a long time. I think he will yet rally if he can see more of his old companions in the way. John also is here, so that I have about me something like the associations of home. I do not believe that public life will corrupt either my taste or my morals. Every fine day, every green leaf, and every blossoming flower, reminds me of Vacluse. Ah! this time I ought to be on my circuit. Why is it not so? I can scarcely realize the fact that I have given up the independence and liberty of my former position for the confinement and drudgery of my present one. I do really believe, however, that I am doing some good, and so long as that shall be the case, I shall be content.

I began this letter, as you see, on the 20th, and have written it at the rate of a sentence an hour. I see clearly that I shall not be able to put two sentences together without interruption, and therefore, for fear you should consider yourself forgotten, I send it off in a condition not worthy to be regarded as a remembrancer.

Yours, in all haste and sincerity,

A. P. UPSHUR.

At the session of 1843-'4, the Democratic members of the Legislature of Rhode Island presented a memorial complaining of the President for throwing the moral force of the government against them, and questioning the legality of the election of the gentlemen representing Rhode Island in the House. This evoked a message from the President, concerning which Mr. Webster, who was now out of the cabinet, wrote as follows:

[MR. WEBSTER TO PRESIDENT TYLER.]

BOSTON, *April 18, 1844.*

MY DEAR SIR: While on some subjects it is my misfortune to differ from you in opinion, it gives me pleasure in respect to others to express my warm approbation. I write now to signify to you how greatly I was pleased with your message to the House of Representatives on the Rhode Island business. That paper has given great satisfaction in this quarter to sensible men of all parties. Indeed, your conduct of that affair will appear hereafter, I am sure, worthy of all praise, and one of the most fortunate incidents in your administration for your own reputation. The case was new, and it was managed with equal discretion and firmness. On the one hand, it was wise to be slow in directing the use of military force in the affairs of a State; and on the other, equally wise to look to the existing government of the State as that government which the executive of the United States can alone regard in the discharge of its high and delicate duties. The message places these considerations in a very clear point of view, and the measures adopted by you at the time, and your message explaining their grounds and reasons, will go far towards establishing just ideas respecting the true relations between the government and State governments in regard to this most important provision in the Constitution.

I think of being in Washington as soon as the conventions shall be over.

Yours faithfully always,

DANIEL WEBSTER.

DANISH SOUND DUES.

Another important subject that interested the executive during the first year of Mr. Tyler's term of office, was the Danish Sound Dues. These were onerous exactions imposed for nearly one hundred and fifty years by Denmark upon the commerce of the world navigating the waters from which they obtained their name. Ere Mr. Tyler's term expired, important modifications and reductions of these unjust requisitions attended the urgent applications of the executive to the government of Denmark. A country, "scarcely known at the time of their imposition," took the lead of all the world in effecting this removal of a prescriptive usurpation.

[To COL. JOHN S. CUNNINGHAM.]

SHERWOOD FOREST, Nov. 4, 1855.

MY DEAR COLONEL. My summer excursion only terminated by my return home on last Wednesday, and I now sit down to the task of answering correspondents, among whom I estimate yourself as entitled to the earliest reply. I had seen the article relative to the "Sound Dues," in the *Intelligencer*,¹ before your letter reached me. The only fact to be supplied, and that of not much consequence, was the fact that the subject had been fully talked over by Webster and myself, and that we finally concluded that the best mode of bringing the subject to the notice of Congress, was for the Secretary to address me a letter, to be communicated to Congress in my annual message. As the matter stands in the article in the *National Intelligencer*, the entire credit, without its being so designed, I am sure, is given to Webster. For the valuable results arising from the abatement of the dues the country is greatly indebted to Mr. Jackson, who was at the time our chargé at the court of Denmark. He died soon after. I perceive that a congress of nations (so say the newspapers) is to assemble at Copenhagen to take into consideration the whole subject, and I hope that all will be satisfactorily settled. Those exactions on the commerce of the world were levied at that remote period when the Danes were masters of the European seas, and the strongest and longest sword gave and enforced an arbitrary will. That day had long passed away before I was entrusted with the chief executive power, and yet all nations acquiesced in onerous burthens, and it remained for a country scarcely known at the time of their imposition to urge their great reduction or actual abolition. Success attended our efforts in important modifications and reductions of the Danish tariff of 1695.

I regret to perceive that the treaty negotiated by Com. Perry with Japan falls far short of the objects originally contemplated. Before sending Mr. Cushing to China, the subject of opening, through a treaty, the trade with Japan had been talked over in the cabinet. Mr. Cushing was possessed of our wishes upon the subject, and either before or immediately after sailing for

¹ *National Intelligencer*, October 2, 1855. See also October number of *Hunt's Merchant Magazine*.

China, addressed us a letter suggesting the propriety of our investing him with authority to treat with Japan if opportunity offered. The authority was promptly given, but he was obliged to return home after concluding the treaty with China. And so ended the first suggestion upon that subject. Mr. Cushing's letter is on file in the State office, I presume, and there is the *nest egg* of the Japan movement. I regret that it has not fully hatched.

And now about a small matter personal to myself. I have yet my land warrant by me. Will you see the commissioner of the land office and enquire of him as to the best district for its location? I see the lands in Illinois are selling very high. Could he recommend a location there? I know that it is asking something unusual of him, but if it violates no rule for him to answer you, I should be obliged to him. If it does, he will simply say so.

Truly and sincerely yours,

JOHN TYLER.

THE TREATY OF WASHINGTON (1842.)

First and foremost, however, among the events of this year, in its character of national importance, is the celebrated Treaty of Washington, by which the several subjects in dispute between this country and Great Britain were settled to such general satisfaction. Mr. Webster, in his speech in 1846, in defense of the Treaty of Washington, and Mr. Rives, in his speech in 1842, have given to the world a most clear and able sketch of the rise and progress of the troubles between the two countries, and to these sources I refer the reader for the more public features of the negotiations. My object here will be to state as briefly as I can the personal part borne by Mr. Tyler in the final settlement of these several questions so threatening to the peace of this country and the world. True, the loss of Mr. Tyler's papers renders it impossible to explain the full extent of his agency; yet, even as it is, enough documentary evidence has come down to us to make even the biographer of Mr. Webster confess that the lines of Dryden have an application extending to Mr. Tyler and Mr. Webster:

"Let old Timotheus yield the prize,
Or both divide the crown."

In the first place, there was the question in respect to our north-eastern boundary. The Treaty of Peace, in 1783, had failed to establish with precision the line of division between the British possessions on the North and the territory of the United States on the South. The subject became in vain a matter of negotiation through the administrations of Washington, John Adams, Jefferson, Madison and Monroe, until, in John Quincy Adams'

term, new difficulties were superadded by collisions between the settlers on the border. Finally, the question was referred to the arbitration of the King of the Netherlands. The King made an award in 1831, assigning a line of boundary by way of compromise, which General Jackson would have approved if the Senate had. In that body Mr. Tazewell made a report, and offered a resolution advising the President to express to the government of England the assent of the United States to the proposed boundary. On the motion by Mr. Mangum to strike out all after the word "resolved," there were thirty-five yeas and eight nays. Mr. Tyler and Mr. Tazewell were among the nays;¹ but Mr. Webster thought that "this was not a case in which the Senate was called on to express an opinion, or give any advice to the President."²

The question being once more relegated to the forum of negotiation, new complications ensued in the attempt to mathematically define the line of boundary, which was in fact a simple impossibility, considering the ambiguity of expression in the treaty of 1783. Gen. Jackson retired from office, and was succeeded by a man too feeble, under the circumstances of the times and in his own character, "to make any adequate resistance to popular impulses, and who could not venture, even if so disposed, (which he certainly was not,) to bate one jot of anything."³ In his first annual message, Mr. Van Buren spoke of the question as the most important pending. "The sole result," said he, "of long pending negotiations and a perplexing arbitration, appears to be a conviction on the part of the British government that a conventional line must be adopted."⁴ Mr. Van Buren did not coincide in this view, but continued the old policy of explorations, commissions, and arbitrations. Projects and counter-projects passed between the two governments, and at the end of his term they found themselves farther apart than ever before. New embarrassments attached themselves to the old subject of controversy. The difference in the lines of boundary set up by the two parties gave rise to a territory in dispute. In 1839, this territory was occupied by British timber-cutters from New Brunswick. The land agent of Maine raised a *posse*, and fortified a line to keep off intruders.

¹ Senate Journal, 1831-'2, p. 526. ² *Ibid.*, p. 527.

³ Quarterly Review, 71, p. 569.

⁴ Statesman's Manual (1848), p. 1072.

Finally, Major-General Scott was ordered to repair to the frontier, and under his mediation a sort of treaty was entered into between Maine and New Brunswick, while Mr. Fox, the British minister, wrote home for instructions for another treaty, which should regulate the terms of possession, and be the means of keeping the peace of the frontier. Both Maine and New Brunswick stood armed to the teeth when Mr. Tyler came in.

The second irritating question between England and the United States was the affair of the *Caroline*, which the policy of procrastination had loaded with similar embarrassing features as the subject just described.

In 1837, a civil commotion broke out in Canada. In its suppression many persons engaged in it fled to the United States. In the autumn of that year these persons, associating with themselves many persons of lawless character in the States of New York, Maine and Vermont, made actual war on Canada, and took possession of Navy Island, belonging to England, in the Niagara river. The steamboat *Caroline* was employed by them to transport from the United States men, ammunitions and stores to Navy Island, to be used in the attack on the British provinces. In December, 1837, the British organized an expedition to capture the *Caroline*, expecting to find her at Navy Island; but when the commanding officer came round the point of the island in the night, he found that she was moored to the American shore. This circumstance, however, did not prevent him from making the capture. In the fray a citizen of the United States, by the name of Duffree, lost his life; the British authorities said by a chance shot from one of his own party; the Americans, by a shot from one of the British party. The *Caroline* was set on fire and adrift, and the current speedily carried her over Niagara Falls. Mr. Forsyth, Secretary of State under Mr. Van Buren, made the matter a subject of communication to Mr. Fox, who avowed it as an act done by order of the British authorities, and justified it as a proper and necessary means of self-defense. After this the subject on the part of the United States was suffered to lie and grow cold, notwithstanding it presented a clear case of a violation of territory, which Mr. Van Buren's administration was bound in honor to vindicate. In November, 1840, the administration was roused, however, by an important and exciting occurrence. Alexander McLeod, one of the

persons said to be concerned in the capture of the *Caroline*, came over to the State of New York, whose people were much irritated over the affair of the *Caroline*, and made foolish boasts of the part taken by him in that attack. He was arrested by the State authorities on the charge of the murder of Duffree, and committed to prison in New York. Mr. Fox made an instant demand for his release, alleging the destruction of the *Caroline* as a public act of persons obeying the orders of their superiors, and for which they were not responsible. Mr. Forsyth replied in a note of December 26, 1840, declaring that the public nature of the offense had not before been "communicated to the government of the United States by a person authorized to make the admission." And though it was not easy to reconcile this language with the real facts in the case, Mr. Forsyth took the true ground in adding, that it would be for the courts to decide on the validity of the defense. This was the state of things on the death of Harrison. Great excitement prevailed in both countries; and "patriot societies" and "hunters lodges" threatened every moment the peace of the borders.

A third subject of difference sprung out of the practice of British cruisers, while prosecuting the suppression of the slave trade, of visiting vessels which sailed under the American flag,—a course for which there was no authority by treaty, and which was universally offensive to the American people.

Yet another cause of controversy between the two countries had its origin in claims to damages of certain inhabitants of the South. The history of these claims is as follows: In 1830, the ship *Comet* was wrecked on the Bahama islands. The English entered on board and declared the slaves free. A similar result occurred in the cases of the ships *Encomium*, *Enterprise* and *Creole*. In the first two cases the English government paid the damages. The third happened in 1835, after the decree of emancipation in the West Indies. The English refused to compensate the owners in this case, and Mr. Van Buren relapsed into the same apathetic state as marked his course in the case of the *Caroline*, though he himself as Secretary of State had characterized the question as the most "pressing" pending. Mr. Calhoun alone saved the principle from surrender by certain resolutions, which he offered in the Senate in 1840, and which received the votes of two-thirds.

of that body. The principle was this: A statute of the United States permitted the transportation of slaves from one harbor to another of the United States; and the international law which makes the ship a part of the national territory forbids any officious interference with the status of things on board when driven into a foreign port by stress of weather or otherwise. In October, 1841, the brig *Creole* set out on a voyage from Hampton to New Orleans with a cargo of slaves. On the 7th of November the slaves rose up, overpowered the crew, and killed the person in charge of the slaves. The negroes then ran the brig into the harbor of Nassau, where the English authorities, instead of putting an end to the captivity of the master and crew, and restoring to them the control of the vessel,—and neither aiding nor preventing the efforts of the negroes to escape—officially entered on board, and encouraged the escape of most of the negroes; while the surrender of the remainder, whom they imprisoned for murder, was refused to the American consul. The Southern States were very much incensed at this transaction, since the Bahamas pushed themselves immediately in the track of the coastwise trade. They complained that the admission of the principle of interference involved in the case of the *Creole*, would in fact endanger all communication by sea between one slave State and another.

Such were the delicate questions presented to the management of Mr. Tyler. Happily, in his Secretary of State Mr. Tyler had an adjunct of very much the same patriotic spirit as himself—a really great and good man, in spite of a few serious defects—who took and adopted suggestions without any hesitations arising from vanity, but solely and singly upon their merit and reason. Mr. Tyler himself has told how Mr. Webster's State papers were written:

He was ready at all times to receive, to consider, and if proper, to adopt the suggestions of others. He went farther. He courted the severest criticisms of his writings or opinions. Thus it was that no dispatch of importance received the final stroke of his pen until it had been subjected to the severe crucible of the cabinet. Every suggestion of addition or alteration was weighed by him with the same impartiality as if he had been the critic, and the production criticised was the work of another. When these discussions had ceased, then came forth from the State department the combined wisdom of all, condensed in a dispatch which challenged for the Secretary the admiration of the world.¹ It was a great charm of life to be associated with

¹ Writing to his son Robert, September 2, 1852, Mr. Tyler said: "What a

one, not only so richly endowed with the gifts of mind, but who was so tolerant in matters of opinion, and whose entire deportment was so deferential and respectful,—a deference and respect which he never for a moment lost sight of. If he had defects—and who has not?—those defects were obscured by his many excellencies.¹

Mr. Tyler, on arriving at Washington in April, 1841, was immediately confronted with the case of McLeod. Under instructions from Lord Palmerston, the British Secretary of Foreign Affairs, Mr. Fox, in a letter dated the 12th of March, made a new and even more peremptory demand for the release of McLeod. The administration of Harrison did not immediately reply, but in their letter of instructions to Attorney-General Crittenden, dated March 15th, Webster assumed the ground taken by Forsyth in his previous communication to the British authorities, that the case of McLeod would have to run its course in the courts. Crittenden, the attorney-general, was, however, informed that the government regarded the plea urged by Mr. Fox as justly excepting McLeod from any responsibility personally for his acts; and he was instructed to proceed to New York, and to place the executive of New York and the attorney-general of the State in possession of authentic evidence that the British government recognized the destruction of the *Caroline* as an act done by national authority. The formal answer to Mr. Fox's letter of the 12th of March was not made until the 24th of April, a few weeks after Mr. Tyler became president.

"I remember," says Mr. Tyler, "the first regular cabinet council which was held after I reached Washington. With a solemn and shaded brow Mr. Webster handed me a letter, received some days before from Mr. Fox, the British minister, the paternity of which was obviously due to Lord Palmerston, demanding the immediate discharge of McLeod from imprisonment in New York,

terrible mistake Mr. Webster committed as to the Lobos Islands in his letter to Captain Jewett; and then for the government to issue orders which it has been compelled to recall in the face of the world. Could *he* have submitted the subject to the consideration of the President, and he to his cabinet? For my part, I think that the former here is decidedly benefited by having his guano with the stamp of the Peruvian government upon it. He is much more sure to get a pure article than to trust it to a scramble among the shipping, which would result in our obtaining an adulterated compost." Doubtless, no president in our history ever exercised a more personal supervision over the departments than did Mr. Tyler.

¹ Mr. Tyler's Lecture, *The Dead of the Cabinet*, 1856.

for a supposed agency in the attack upon the *Caroline* and murder of Duffree. We agreed in our views of the subject, and he prepared a dispatch accordingly; and when he handed it to me for perusal, he said, 'Lord Palmerston, sir, may put that in his pipe and smoke it.'"

After the public assumption by Great Britain of all responsibility for the conduct of McLeod, the proper course to pursue, according to the principles of international law, was to secure the entering of a *nolle prosequi*, so as to commit the matter to the forum of national negotiation. For the question was plainly no longer one of mere State or local concern, but involved the interests of all the States represented in the national executive. But New York, as well as Maine and Massachusetts, were in this particular deeply affected with an extreme reverence for State-rights, and the proceedings were much embarrassed by the pertinacity with which the authorities of these Commonwealths obstructed at times the proceedings of the Federal government in a matter of the clearest Federal character. Not only did Governor Seward refuse, under the Harrison administration, to enter a *nolle prosequi*,¹ but, excited by the *gaudia certaminis* of a long and tedious correspondence in which he was engaged with the executives of Virginia,—Governor Thomas Walker Gilmer and Lieutenant-Governors John M. Patton and John Rutherford,—concerning certain fugitive "slave-stealers," he proceeded to call President Tyler to account, in his official capacity, for allowing District-Attorney Spencer of New York to be the retained counsel of McLeod. The President was surprised at the communication, but courteously replied that Mr. Spencer, in appearing as counsel for McLeod, did so under no order from the government of the United States, nor in his official capacity, but altogether as a private practitioner of law, and upon a retainer bearing date antecedent to the date of his commission as district-attorney.

On the 10th of May the Governor wrote again, alleging the apparent want of harmony between the government of the United States and that of New York, and requiring that Spencer should withdraw from the case. The reply of the President was as follows:

¹ Curtis, ii., 66, note 1.

[THE PRESIDENT TO GOVERNOR SEWARD.]

WASHINGTON, *May 15, 1841.*

SIR: I have the honor to acknowledge the receipt of your letter of the tenth inst. In my previous letter I took occasion to assure you that Mr. Spencer, in appearing as counsel for McLeod before the Supreme Court of the State of New York, did so under no order from the government of the United States, nor in his official character, but altogether as a private practitioner of law, and upon a retainer bearing date antecedent to the date of his commission as district-attorney for the United States for the northern district of New York. This distinct declaration, I had indulged the hope, would have met your wishes upon the subject and relieved you from all anxiety. You are pleased, however, still further to suggest the propriety of my requiring Mr. Spencer to abandon the client altogether, and to desist from any further connection with the defense. This I feel myself entirely forbidden to do. Under the laws of the State of New York he is fully authorized, by the force of his license as a practising attorney, to prosecute and defend suits in your courts, and for me, merely because, by virtue of his commission as district attorney, and for rewards and compensation ascertained by law, he is retained by this government to appear as counsel for the United States in all matters in which they may be interested, arising within the limits of his district, and which may be brought before the judicial forums, to deny to him the privilege of undertaking causes, whether civil or criminal, as to which the United States is no party to the record, would be a violation of his rights as a citizen, and destructive of his privileges derived by grants from the State of New York. To establish such a principle of action on the part of this government would be to incur the certain hazard of being unrepresented in the courts; for it is not to be believed that any attorney would be willing to accept the agency for the United States, if this government might at any time require him to abandon a cause in which he was employed by individuals, and in which the United States were not parties. I must also be pardoned for saying, that although nothing is more customary than for the district-attorneys of the United States, in all the States, to appear in defense of causes, civil and criminal, in which this government has no interest, yet this is the first occasion on which it has been objected to. You will excuse me, then, for declining any interference with Mr. Spencer in regard to his private pursuits and occupations.

I will also, sir, take leave further to say, that even if this government deemed it proper either to protect its own interests, or in obedience to its obligations to other countries, to direct its legal agent to appear before the courts of New York, to resist either a pecuniary claim advanced against it, or a prosecution set on foot by that State against any individual, that I am unable to perceive what well founded cause of complaint could be urged against the procedure; the decision of the court would be but the result, on the part of the learned judges, of their convictions of law and justice, and could not affect the confidence of an intelligent people in its wisdom. All that could be done by the attorney thus employed, would be to address himself to the rea-

son of the learned judges, and to invoke, in the name of the law, their favorable decision.

The great and magnanimous people of New York would see in this nothing to disapprove, nor justly infer anything of unkindness on the part of this government towards them. But to render obedience to your requisition would not fail to excite their displeasure, reared as they have been in the love of those free institutions which secure to the lowest individual, as well as to the highest, the benefit of a defense when placed on trial for his life, to be urged by a counsel of his own selection. The people of New York might well ascribe to me a violation of all justice if I interfered to deprive such prisoner of his retained counsel.

I trust, sir, that you will see in these considerations a sufficient justification for my declining the interference which you solicit. I beg leave to renew to you assurances of my high consideration.

JOHN TYLER.

This brought a long reply from Governor Seward, in the course of which he said :

Your Excellency is pleased to say, that although nothing is more customary than for district attorneys of the United States, in all the States, to appear in defense of causes, civil and criminal, in which the government has no interest, yet this is the first occasion on which such an appearance has been objected to.

I confess my surprise and exceeding regret in thus learning from the highest authority, that the government of the United States expressly disavows any interest in the cause out of which this correspondence has arisen. Permit me to state the nature of that cause, as it has been recognized by the President of the United States. . . .

The President of the United States, having made these declarations, became constitutionally bound to maintain them, and to guarantee, defend and justify the State of New York, with the power of the nation if necessary, in vindication of the property and lives of her citizens. New York was regularly and steadily pursuing that course of vindication, when the British government peremptorily demanded the discontinuance of the proceeding. It is at such a moment the President informs the State of New York that the government of the United States has no interest in the proceedings in which that State is engaged. I beg leave most respectfully to assure you, sir, that the declaration will be received by the people of New York with surprise and disappointment. Hitherto we have believed that our cause was the cause of the whole Union; that our honor was dear to all the members of the Confederacy, and that our efforts to vindicate the property and lives of our citizens were favored with the sympathy, and entitled to the defense of the government of the United States.

This disingenuous perversion on the part of Seward of the plainest purport of the President's language was exposed by him in his reply, dated May 25th :

Misapprehending, as I am bound to suppose, the true intent and meaning

of my letter of the 15th of May, and detaching a single sentence thereof, your excellency has seen cause to ascribe to me an indifference to the rights of New York which nothing that has occurred can justify, and which, upon further reflection, and with more extended information, you would have been among the last to have made. The attack on the *Caroline*, when viewed as an act of public force, committed by the British government within the territory of the United States, is undoubtedly a matter in which the government of the United States is bound to take an interest, and to which I trust neither my predecessor nor myself have shown any degree of inattention. But when it is viewed as divested of its character as a public transaction, and when those concerned in it are regarded merely as individuals, committing crimes against the laws of New York, then certainly the case requires nothing to be done by this government as auxiliary to the power of that State. Nor can this government have more to do with that trial than with a trial for any other offense against the laws of the State, unless, indeed, it finds itself called upon for the protection of some interest of the United States, or by its high duty of preserving the peace of the country, and of superintending its foreign relations, to take care, by the exercise of its acknowledged powers, that such interest be guarded, or that no just ground of complaint be furnished to other nations. It was in this sense, and this only, that I spoke of McLeod's trial as one in which the government of the United States had no interest; and I repeat my regret that your excellency should have thought there was ground for ascribing to me any other meaning.

The President, having detected and exposed the sophistry of Seward, could now withdraw with dignity from a correspondence not of his own seeking, and in conclusion of this letter he said:

I am most happy to concur in opinion with your excellency, that the destruction of the *Caroline* is a question in which every State in the Union is interested equally. The interests of New York are merged in those of the United States. The question is no longer local, but national; and while I shall at all times be pleased to receive suggestions from your excellency in regard to it, and shall give them all the consideration to which they are entitled, as emanating from the chief magistrate of an independent State, yet I shall be equally prepared to receive and maturely consider similar suggestions from the governor of any other State.

You are pleased to intimate the belief that Mr. Spencer has been retained as counsel for McLeod by the government of Great Britain. Whether this be so is a matter which may be better known to your excellency than myself. I readily admit that I have not felt it to be my duty to enquire of Mr. Spencer in regard to it; and if you shall esteem it to be your duty to enquire of a counsel practising in your courts as to the quarter from whence he obtains his compensation, I doubt not but that you will promptly receive a satisfactory answer. Your excellency must pardon me, however, for believing that it is a subject with which I can have nothing to do, not conceiving that either the honor or interests of the country can be at all involved in it. Surely that

honor can never be affected by an appeal on a question of law to the judiciary, no matter at whose instance such appeal is made.

In conclusion, permit me to hope that our correspondence on this subject may end here; for however much I may feel myself honored, and although I shall at all times be highly pleased to receive communications from your excellency on all matters of public interest, yet I cannot perceive what good is to be achieved by prolonging *this* correspondence. The argument in the case of McLeod has terminated, for the present at least, and the case now rests in the hands to which it has been committed by the Constitution and laws of the State of New York. I can see no practical good as likely to arise from prolonging the discussions which have, so unexpectedly to myself, arisen between us.

I tender to your excellency renewed assurances of my high consideration.

A still longer communication from Seward in reply wound up the discussion, his excellency being determined to have the last word in the controversy.¹

The Canadian refugees and their American sympathizers were posted in organized lodges of "patriots" all along the border, extending as far as Ohio, and the utmost vigilance and activity were required of the government to prevent their abusing the protection of our soil by making hostile irruptions into Canada. The following letters relate to some of the precautions adopted by the ever watchful President about this time:

[THE PRESIDENT TO WEBSTER.]

MY DEAR SIR: The accompanying I have thought best to submit to you. The facts stated correspond so entirely with what is already known as to vouch its correctness. Gen. Scott is aware that St. John is an agent of the patriots. What think you of employing the writer to ferret out the whole affair by sending him upon the lines?

Most truly yours,

J. TYLER.

[THE PRESIDENT TO WEBSTER.]

FRIDAY MORNING, *July 9, 1841.*

DEAR SIR: I deem it proper to apprise you of the steps which I directed to be taken yesterday, after leaving you, upon the subject of the information received from Mr. Kelly, so that, in your interview with Mr. Fox, you may act with full knowledge. Ascertaining that an active and vigilant officer, Captain Monroe, was stationed at Cleveland with his company of infantry, I

¹ The part which Seward played in this correspondence of a State-rights champion is in amusing contrast with the sentiments ascribed to him when Secretary of State under Mr. Lincoln, according to which the "ring of his little bell" was the boasted signal for the arrest and incarceration of a freeman in any of the States.

directed General Scott to address him by the last night's mail a letter, informing him of the suspicions entertained here as founded on information recently received, referred him to Mr. Kelly *confidentially*, and directed him so to conduct as to acquire the fullest intelligence of any contemplated movements. A similar letter was directed to be dispatched to Colonel Bankhead at Buffalo, and General Brady at Detroit. The mail travels so much more expeditiously than could a messenger, and is regarded as so entirely safe, that I have deemed it best to adopt that mode of transmission. General Scott apprehends no danger of a descent on Canada during summer, for various reasons which seem to have much force and weight. In addition, however, to what has been done, the vigilance of the collectors, marshals and district-attorneys, should be enlisted, by letters to be dispatched to them. A proclamation might be premature or unnecessary until we hear further.

With true regard,

JOHN TYLER.

McLeod had sued out a writ of *habeas corpus*, returnable before the Supreme Court of New York. The case came to be heard on the petition at the July term, 1841. Popular sentiment was against the prisoner; Seward unquestionably shared in the same feeling; and now the Supreme Court of the State, by overruling the plea, unanimously admitted by the cabinet of Mr. Tyler that public authority does away with personal responsibility, added another to the long list of proofs in our history, that when men's prejudices are concerned their sense of reason and justice is not assured by the dignity of any office. McLeod, on the overruling of his petition, might have brought up his case before the Supreme Court of the United States, but he made choice instead of a trial by jury. The following letter expresses the views of the President at this time :

[PRESIDENT TYLER TO DANIEL WEBSTER.]

DEAR SIR: I return you under cover the two notes from Mr. Fox of the 5th and 6th inst. In that of the 5th, I am glad to perceive something of a softened tone, and only regret that in the concluding paragraph he should have regarded it as necessary to advert to important results, which might be regarded as containing a threat. I hope that we may hear no more of *threatened consequences*, which only serve to excite the public mind here by calling into question the good faith of the United States, and arousing the pride of their people. Mr. Fox has been given fully to understand that the case of McLeod cannot be withdrawn from the courts, but must there abide its final issue. For myself, I should have preferred that the case should have been brought up from the Supreme Court of New York to the Supreme Court of the United States; but that matter has been controlled by the decision of the prisoner himself.

As to the detachments to be substituted in place of the civil *posse* of Maine,

Mr. Fox seems to take a correct view. I should, however, regret that the British government should make that a pretext for throwing in garrison troops to the south of St. Johns. The settlements on the Madawaska are more safe with the United States regular troops in their vicinity than a mere civil *posse*, and hence the less necessity for introducing an armed force by the British government. It is, therefore, both hoped and expected that, until an actual, or at least a threatened necessity shall arise, no such step may be taken by the British government.

The above are some of the thoughts which occur to me on reading Mr. Fox's two notes. Truly yours, JOHN TYLER.

The "patriots" continued their intrigues during the summer. On the 11th of August, Seward gave notice to the President that two field-pieces, the property of the State, had been abstracted in a very secret manner from their depositories. Complaints succeeded from Mr. Fox that he was informed that the "patriots" designed to force open the State arsenals, and providing themselves with the necessary arms, to effect an entrance into the jail, where McLeod was confined, with a view to administer "lynch" law. Accordingly, the President directed Mr. Webster to express his earnest hope to Seward that the Governor of New York would take all proper measures, in conjunction with the United States troops, to secure the person of McLeod from all violence. On the 3rd of September, Seward replied by explaining the precautions he had taken; and while making light of the danger, clearly justified, at the same time, by what he said, the President's precautions. The approval of the President was conveyed to Mr. Webster in the following note:

[PRESIDENT TYLER TO DANIEL WEBSTER.]

Mr. Webster will please express to Gov. Seward the great pleasure which his communication has afforded. His arrangements are so full and complete as to leave but few grounds of apprehension.

Sept. 7, 1841.

This approval was thus formally communicated by Mr. Webster:

[MR. WEBSTER TO THE GOVERNOR.]

DEPARTMENT OF STATE, WASHINGTON, 9th September, 1841.

TO HIS EXCELLENCY, WILLIAM H. SEWARD,

Governor of the State of New York, Albany:

SIR: I have the honor to acknowledge the receipt of your Excellency's letter of the 3d instant. It has been laid before the President, who directs me to say that it has afforded him much satisfaction, and that he highly approves, so far as he is competent to judge at a distance, of the arrangements

adopted by you for the preservation of the safety of Alexander McLeod's person; arrangements which, he trusts, leave few grounds of apprehension.

The attorney and marshal of the United States for the Northern District of New York, and all other officers in the service of this government, will be directed to aid the authorities of New York, or act concurrently with them, for the preserving the peace and maintaining the sovereignty of the laws, so far as may be in their power.

I have the honor to be,

Your excellency's most obedient servant,

DANL. WEBSTER.

The trial of McLeod was set for the 27th of September, but before that time arrived a new complication arose, serving to embitter the popular sentiment against him. In this month a party of armed men from Upper Canada invaded the territory of the United States, and forcibly seized upon the person of one Grogan, and, under circumstances of great harshness, hurriedly carried him beyond the limits of the United States. In the absence of Mr. Webster, during the fall of 1841, the President directed Fletcher Webster, the son of the Secretary of State, to make immediate demand for his release. This demand was promptly acceded to by the Canadian authorities,—a course of procedure which happily relieved what would have been a desperate aggravation of the difficulties with England.

[PRESIDENT TYLER TO DANIEL WEBSTER.]

WASHINGTON, Oct. 1, 1841.

. . . . Your son has sent you a copy of a note which he addressed to Mr. Fox in the Grogan affair.

His reply merely promises me immediate investigation. I fear from a letter received from Mr. Spencer, (the district attorney), that McLeod's trial will be postponed in consequence of the absence of Morrison, who, he states, refuses to come unless requested by the Canadian authorities. I hope that this may not be so. Mr. Fox dined with the Prince de Joinville here on yesterday, and, sitting on my left, I took occasion to throw out many suggestions, but extracted nothing new.

I shall rejoice to hear of your improved health.

Sincerely yours,

J. TYLER.

The trial of McLeod continued until the 12th of October, 1841, when he proved an *alibi*, and was acquitted by the jury of the crime alleged against him. A court, and that not of the highest jurisdiction; a State governor, and he the head of only a single member of the Confederacy,—and both of them obnoxious to the

charge of prejudice against the prisoner,—came within an ace of embroiling two great countries into war,—the one by overruling a defense recognized by the national government and the law of nations, and the other by refusing to enter a *nolle prosequi*, when that power was not within the authority of the President. It was due the future peace of the country that such a spectacle should not again be exhibited; and in his message in December, the President recommended the passage of a law meeting the danger of the case.¹ Such a law, framed by Mr. Webster, was accordingly passed by Congress in the summer of 1842.

This difficulty having been gotten over, the way was smoothed for somewhat more calm deliberations. Instead of the negotiations proceeding in England, it seemed more natural that they should go on nearer the disputed line. The British government, as appears from the message of Mr. Van Buren in 1837, and Lord Ashburton's letter of June 21, 1842, had been for some time of the opinion entertained by Mr. Tyler as far back as the year of the award of the King of the Netherlands, that the treaty of 1783 as to the north-eastern boundary was not executable according to

¹ "Since your last adjournment, Alexander McLeod, a British subject, who was indicted for the murder of an American citizen, and whose case has been the subject of a correspondence heretofore communicated to you, has been acquitted by the verdict of an impartial and intelligent jury, and has, under the judgment of the court, been regularly discharged. . . . Alexander McLeod having his option either to prosecute a writ of error from the decision of the Supreme Court of New York, which had been rendered upon his application for a discharge, to the Supreme Court of the United States, or to submit his case to the decision of a jury, preferred the latter, deeming it the readiest mode of obtaining his liberation; and the result has fully sustained the wisdom of his choice. The manner in which the issue submitted was tried will satisfy the English government that the principles of justice will never fail to govern the enlightened decision of an American tribunal. I cannot fail, however, to suggest to Congress the propriety, and in some degree the necessity, of making such provisions by law, so far as they may constitutionally do so, for the removal at their commencement, and at the option of the party, of all such cases as may hereafter arise, and which may involve the faithful observance and execution of our international obligations, from the State to the Federal judiciary. This government, by our institutions, is charged with the maintenance of peace and the preservation of amicable relations with the nations of the earth, and ought to possess, without question, all the reasonable and proper means of maintaining the one and preserving the other. While just confidence is felt in the judiciary of the States, yet this government ought ^{not} ~~not~~ be competent in itself for the fulfilment of the high duties which have been ~~de~~ ^{rested} upon it, under the organic law, by the States themselves."—Tyler's first annual message, December 2, 1841.

its strict expression, and it now gladly seized upon the proposal of Mr. Webster to settle by a line of compromise. A change in the ministry had there ensued shortly after the belligerent note of Lord Palmerston demanding the release of McLeod. Lord Aberdeen, who was now Secretary of Foreign Affairs in Palmerston's place, informed Mr. Everett, our minister in England, that his government had resolved to send Lord Ashburton as special minister to the United States to settle the boundary question, and such other questions as his instructions permitted. The selection of such a man as Lord Ashburton, whose age and princely fortunes placed his motives above impeachment, proved the praiseworthy anxiety of England for a permanent peace between the two countries.

The English minister arrived in the United States on the 4th of April, 1842, and on the 13th of June entered officially upon the arduous duties of his mission. Of the details of the labors which finally resulted in the establishment of our present north-east boundary line, I shall say but little. The main difficulty had already been overcome, when the negotiators fixed the principle of "compromise" for the basis of their proceedings, as in the award of the King of the Netherlands. In tracing the line, however, through upwards of two thousand miles, it was natural that conflicts of opinion should often arise between the negotiators, and in the reconciling of these differences the President's astonishing address was put repeatedly into happy requisition. The elegance and polish of his manners always made him a favorite with the diplomatic corps. "His conduct through the course of my mission," wrote Lord Ashburton, "inspired me always with the greatest respect."¹ He received the foreign ministers in the most handsome manner, and they were always disposed to make any concession out of their personal regard for him. His leveés were crowded with the beauty and fashion of the town.

Mr. Webster, on the other hand, was not so happy in his ways as the President. He is represented to have had his "unreasonable, ungracious and difficult moods," and this sometimes led to contentions between Lord Ashburton and himself. The surer crime heat, too, operated very unfortunately upon the patient highest negotiators. "I continue to crawl about in these heavily a single

¹ Webster's Correspondence, ii., page 164.

ious to the

and pass my nights in a sleepless fever," groaned Lord Ashburton. "In short, I shall positively not outlive this affair if it is to be much prolonged."¹ What added greatly to the difficulties of adjustment was the fact that the negotiators had not only to come to an agreement with one another, but with commissioners also appointed by the States of Maine and Massachusetts, who deemed their interests jeopardized. Repeatedly the President was called on to pacify or mollify the English minister; and he never failed to smooth the way for a pleasant renewal of diplomatic intercourse. At one time the negotiations would certainly have wholly failed had it not been for the President's timely aid. "Mr. Webster had received a project from Lord Ashburton respecting the north-east boundary. In return he had sent him his project. But the commissioners from Maine were tenacious upon trifles; Lord Ashburton was tenacious upon trifles—much more so than he appeared when he first came. He had received instructions from home, and had intimated that they tied him up far beyond those he brought with him; and even that if they had prescribed them to him before he left home, he would not have accepted the mission."² Clouds thickened around the negotiations. Webster wrote on the 28th of June to Everett: "Our movement for the last ten days, if any has been made, has been rather backward. The boundary business is by no means in a highly promising state; so many difficulties arise, not only between us and England, but between us and the commissioners, and the commissioners of the two States themselves. I know nothing of Lord Ashburton's recent instructions, but he appears to me certainly to be under restraints not heretofore apparently felt by him." "The President," continued Webster, "has desired a personal interview with him, which has been had, and the President has pressed upon him in the strongest manner the necessity of staying till every effort to effect the great object of his mission shall have been exhausted. The President feels, what all must feel, that if the mission should return *rebus infectis*, the relations of the two countries will be more than ever embarrassed."³

with . Something like the language used by the President to Lord
reasona.

While jus

ought :at: 'urtis' Webster, ii., p. 113, note.

² Adams' Memoirs, xi, p. 196.

been a 'urtis' Webster, ii., p. 105.

first an.

Ashburton on this occasion has been related to the author by one who heard it from the President's lips:

"My Lord," said he, in his most grave and winning manner, "I cannot suppose that a man of your lordship's age and personal position, retired into the bosom of your family after a long and successful life, would have crossed the Atlantic on so arduous a mission, unless you had truly come with the most painful desire to close the unhappy controversies that now threaten the peace of the two countries. Your lordship could have felt none of the ordinary diplomatic temptations, and if you cannot settle them, what man in England can?" He continued in this strain for a minute or two, when Lord Ashburton, overcome, feebly protested, 'Well! well! Mr. President, we must try again.' And so they tried again, and the treaty was the result.

Mr. Curtis says that "it is a fact, which Mr. Webster always acknowledged, that President Tyler's address in persuading Lord Ashburton to remain, was most skillfully and happily used."¹ "By night and by day," wrote the President, in allusion to a cruel assault upon him from one who had received honor after honor from his hands, "I dreamed and thought only of a fair and an honorable adjustment of our difficulties, and contributed all in my power to bring about a happy termination of the negotiations."

A line was finally agreed upon, which gave to the United States seven-twelfths of the disputed territory, equal in value to four-fifths of the whole. The right to navigate the St. Johns, besides some other important advantages, was also obtained. The result was confessed as much superior to the award of the King of the Netherlands in 1831.

¹ Curtis' Webster, ii., p. 105, note.

CHAPTER VIII.

1842.

"Is all this the fruit of what an old man—now passed eighty I presume—said on the floor of the British parliament, merely to shed a halo around his sunken orb? Or do men on this side of the Atlantic seek to gather laurels at my expense? I tell them now, and I tell them ever, that they are but the *administrators de bonis non* of my administration, and often bad administrators at that! The idea of my conceding to Great Britain any thing! Fudge!"—JOHN TYLER.

THE RIGHT OF SEARCH.—MR. TYLER SUGGESTS THE AFRICAN SQUADRON.—THE "CREOLE."—EXTRADITION.—THE "CAROLINE."—LETTER OF MR. TYLER ON THE "CREOLE."—ERROR OF MR. CURTIS.—IMPRESSMENT.—THE TREATY SUBMITTED TO THE SENATE.—RATIFIED.—WEBSTER'S ACKNOWLEDGMENT TO THE PRESIDENT.—ATTACKS ON THE TREATY.—MR. TYLER'S LETTERS IN 1846.—MISAPPREHENSION AS TO THE CONSTRUCTION OF THE EIGHTH ARTICLE, A NEGATIVE OF THE RIGHT OF VISIT.—SIR ROBERT PEEL'S SPEECH.—BENTON'S ATTACK.—CASS' RETURN.—PASSAGE OF THE APPROPRIATION FOR THE AFRICAN SQUADRON.—THE NASHVILLE CONVENTION IN 1857.—MR. TYLER'S LETTER TO THE "ENQUIRER."—THE RIGHT OF SEARCH IN 1858.—MR. TYLER'S LETTERS ON THE SUBJECT.

MR. TYLER'S suggestions as to the suppression of the slave-trade off the coast of Africa, one of the two other subjects, besides the adjustment of the north-east boundary, embraced in the treaty of Washington, were particularly valuable. A long correspondence had been carried on between Mr. Stevenson and Lord Palmerston on the right claimed and exercised by the British of visiting ships sailing under the American flag, to ascertain their true character as "slavers" or not. On the one hand, it was an undeniable fact that the flag of the United States was fraudulently used by other powers to cover the slave-trade; and on the other, the United States had never consented, by treaty or otherwise, to have their commerce detained on the high seas, and their ships subjected to the arbitrary inspection of British officers. No progress had ever been made on either side towards a settlement of the question, until Mr. Tyler came to the rescue. He suggested to Mr. Webster, who proposed to Lord Ashburton what was called the "cruising convention," and which stands as the

eighth article of the treaty.¹ By this article, each nation was to do its own full duty towards the suppression of the slave-trade, by keeping on the coast of Africa a sufficient squadron, whose presence would obviate all necessity of further dispute as to the alleged right of visit, by rendering the exercise of it an obsolete affair.

The other subject, specified in the Treaty of Washington, was the extradition of criminals accused of committing certain enumerated crimes. This feature in the treaty held an important connection with the case of the *Creole*, though the necessity of some such stipulation had long been felt to restrain the law-breakers on the borders. The American consul at Nassau had demanded the surrender of the slaves of the *Creole*, on the ground that they were "mutineers," as well as "murderers." Webster, in his letter of January 29, 1842, to Mr. Everett, put in the same plea, and offered an elaborate justification of it. In the course, however, of the consideration of the case of the *Creole*, it was found that Lord Ashburton was resolved that nothing should creep into the treaty which would commit England to a recognition of the relation of master and slave. He was willing to include in the list the crimes of murder, piracy, arson, robbery, forgery, or the utterance of forged paper, but he remained firm in the determination to exclude the term "mutiny." As the excluded term "mutiny" was in fact the one that met the case in which the South had been injured by British officiousness, namely, the rendition of slaves guilty *en voyage* of revolt, or answered the position of the government assumed in the demand of the American consul at Nassau, or the dispatch of Webster, President Tyler, though he recognized full well the advantage of even an imperfect enumeration of crimes in the treaty, was in some doubt as to the policy of including such an article, when the omission would serve as a handle for the opposition in the Senate. Lord Ashburton, however, remaining firm in his purpose, the President finally approved the article as it stood.²

¹ See p. 240, Letter to Robert Tyler. Mr. Curtis, who, for some reason or other, regards himself as called upon to defend Mr. Webster for remaining in Mr. Tyler's cabinet, asks, in justification (Curtis' Webster, ii., 172): "Had he (Mr. W.) then (in September, 1841), gone out of office, what would have become of the right of search?" The true history of that question would seem to answer that it would have fared very well in President Tyler's hands.

² Mr. Woodbridge, of Michigan, was the father of the provision.—*Congr. Globe*,

The cases of the *Caroline* and the *Creole* were not directly embraced in the treaty. Lord Ashburton was not authorized to make any stipulation upon them. The principles, however, involved in them were disposed of by a separate correspondence between Mr. Webster and Lord Ashburton, which was submitted, as was the case with all the other correspondence between the two ministers, to the President for correction. On the subject of the *Caroline*, the rules governing the sanctity of a foreign territory had already been lucidly set forth by Mr. Tyler in his message of December 7, 1841. They were now reaffirmed by Mr. Webster, and admitted by Lord Ashburton. A confession was wrung from the noble Lord, that "looking back to what passed, at this distance of time, what is, perhaps, most to be regretted is that some explanation *and apology* for this occurrence was not immediately made." And in the matter of the *Creole*, Lord Ashburton gave assurance that there "should be no officious interference with American vessels driven by accident or violence into British ports; that the laws and duties of hospitality should be executed; and that these neither justified or required any further inquisition into the state of things on board than might be indispensable to enforce the observance of the municipal law of the colony, and the proper regulation of its harbors and waters." The following is the letter that passed from President Tyler to Daniel Webster on the subject of Lord Ashburton's letter:

[PRESIDENT TYLER TO DANIEL WEBSTER.]

August 7, 1842.

DEAR SIR: I have most carefully looked over the extract from Lord Ashburton's proposed letter on the subject of the *Creole*, which I now return to enable you more readily to comprehend my suggestions in regard to it. The substitution of a few words in some places, and addition in others, will make it entirely acceptable.

1. In the fifth line, in place of the words, "to execute their own laws," substitute "their system of police." The vessel driven in by stress of weather

1845-'6, p. 621. An extradition treaty was soon after concluded with France. The following is the President's note to Mr. Pageot, the French minister:

"APRIL 25, 1843.

"The President returns Mr. Pageot's letter, and the papers accompanying it. He can perceive no good reason for declining a negotiation for the conclusion of extradition between France and the United States. The same can be properly guarded, so as to preclude political offenses."

has to be dealt with according to the police laws of the port or place—not the general laws of England.

2. In the eighth and ninth lines, the following language is used: “There shall be no officious interference with American vessels driven *by accident* into those ports.” Now why shall officious interference with vessels driven in *by accident* be alone prohibited? Why not, if brought in by any uncontrollable occurrence? *Officious interference* is an offense against good manners, and is universally reprehended. Does his lordship mean to say that if the crew of a vessel, navigated solely by whites, seize on the vessel, and carry her into Nassau, that *officious interference* will not be restrained? Shall *officiousness* be justified in one instance and not in all? I cannot see any the slightest ground in reason for tolerating officious interference in one case and not in all. There is a degree of repugnance manifested as to the employment of proper terms, which I know not how to reconcile to a desire for peace. I am obliged to see, that if slaves were out of the question, that repugnance would not exist. The term *mutiny* would then readily find a place in the extradition article. And after all, is England visited by any crime because slavery exists in the United States, other than the original crime of its introduction, and because it does exist, is *officious interference* only to be restrained in cases of accident befalling a vessel and driving it into Nassau? I wish his lordship could be brought to the use of other terms.

3. In the eleventh line the word *ordinary* should be omitted. If it be surplusage it has no business there; if it be restrictive, then it should not be there.

4. In the third line from the bottom the language is: “Any further arrangements which *future* events.” This sentence, as it now stands, includes the idea that no further arrangements are called for by *past* events, when, on the contrary, if I understand the letter of his lordship, the *Creole* case is to be referred for discussion in London. Past events clearly prove the necessity of further regulation. The sentence can readily be modified.

The extradition article had better be omitted altogether. If a slave kills his master and flees, a Nassau jury would declare the act to have been committed in self-defense, and without malice. The main point is, therefore, unprovided for. It might be different if the delivery was to follow the demand.

If nothing better can be obtained, I shall be for leaving the matter as it is, but I shall always be ready to listen to your views.

Most truly yours,

JOHN TYLER.

This letter corrects an error of Mr. Curtis, who, in writing of the correspondence on the *Creole*, says that President Tyler, who saw Lord Ashburton’s letter of the 1st of August, before it was formally delivered, desired that the expression “to enforce the municipal law of the colony” might be changed so as to read “their system of police.” He then adds that “neither Mr. Webster nor Lord Ashburton deemed it necessary to make the alteration, and the President did not insist upon it.” By comparing

the above letter with the following extract from the published correspondence, it is seen that not only was the correction made in substance, if not in words, but that the negotiators acquiesced in several other of the President's suggestions going to the marrow of the controversy.

[EXTRACT FROM LORD ASHBURTON'S LETTER OF AUGUST 1, 1842, ON THE
"CREOLE."]

In the meantime, I can engage that instructions shall be given to the governors of Her Majesty's colonies on the southern borders of the United States to execute their own laws with careful attention to the wish of their own government to maintain good neighborhood, and that there shall be no officious interference with the American vessels driven by accident *or by violence* into those ports. The laws and duties of hospitality shall be executed, and these seem neither to require nor to justify any further inquisition into the state of persons or things on board of vessels so situated than may be indispensable to *enforce the observance of the municipal law of the colony*, and the proper regulation of its harbors and waters.

A strict and careful attention to these rules, applied in good faith to all transactions as they arise, will, I hope and believe, without any abandonment of great general principles, lead to the avoidance of any excitement or agitation on this very sensitive subject of slavery, and, consequently, of those irritating feelings which may have a tendency to bring into peril all the great interests connected with the maintenance of peace.

I further trust that friendly sentiments, and the conviction of the importance of cherishing them, will, on all occasions, lead the two countries to consider favorably any *further arrangements which may be judged necessary for the reciprocal protection of their interests*.

I hope, sir, that this explanation on this very important subject will be satisfactory to the President, and that he will see in it no diminution of that earnest desire which you have been pleased to recognize in me, to perform my work of reconciliation and friendship; but that he will rather perceive in my suggestion, in this particular instance, that it is made with a well-founded hope of thereby better obtaining the object we have in view.

The sentences of the original may have been somewhat changed and rearranged before assuming their final form as above; but a very slight inspection shows that the suggestions of Mr. Tyler, vital as they were, were fully embodied in the formal correspondence.

Thus, the correction in the fifth line of the MS. is met in perfect spirit by the words "*to enforce the municipal law of the colony*," as embracing "their system of police," and as distinguished from the "general laws of England." The correction in

the eighth and ninth lines is directly satisfied by the important phrase, previously absent, "*or by violence*," the case of the *Creole* being of that character.

The word "*ordinary*" nowhere appears in the printed extract. And finally, the President's correction of the third line from the bottom of the MS. is fully met by the words "*further arrangements which may be judged necessary for the reciprocal protection of their interests*."

The formal correspondence covers one other subject, namely, that of "impressment," an alleged right, the exercise of which had been one of the causes leading to the war of 1812, and which, though extinguished by that war, had never been formally relinquished by Great Britain. Mr. Tyler had early called the attention of Mr. Webster to this subject:

[THE PRESIDENT TO MR. WEBSTER.]

[*Private.*]

MAY 8, 1842.

I return the dispatches from Mr. Everett. Mr. Jenifer's letter contains an account of mere ceremonials, in which you would take but little interest. Would it be possible to induce Great Britain to abandon her claim to impress seamen in time of war from American vessels? It would add lustre to your negotiation.

Truly yours,

J. TYLER.

As in the cases with the *Creole* and the *Caroline*, Lord Ashburton had no authority to make a treaty stipulation on this question, but he distinctly acknowledged in his letter of the 8th of August, while stating the differences on the subject of allegiance between the laws of the two countries, that the execution of the claim of England was *attended with the risk of injury to others*, and "that some remedy should, if possible, be applied." Mr. Webster ably restated and reviewed the arguments hitherto advanced by the American government, and announced the rule which would hereafter be maintained, that "in every regular documented American merchant vessel the crew who navigate it will find their protection in the flag which is over them." In the words of Mr. Webster, "that declaration will stand"—being something higher than a mere treaty stipulation, which may be disallowed or revoked, the solemn declaration in fact of the true rule of public law which will be maintained by this government forever.

A question arose as to whether it would not be most politic to include the several subjects of stipulation in one treaty, or as sepa-

rate conventions, to be passed upon by the Senate. Mr. Webster was in favor of the latter plan; but the President's idea of a single treaty prevailed with the cabinet, and the ratification accorded it proved the wisdom of his views.¹

[THE PRESIDENT TO WEBSTER.]

AUGUST 8, 1842.

MR DEAR SIR: Your note gives me the most sincere pleasure. Let what come that may, the affair settled with England, and we shall have cause for unmixed joy. Take my best thanks for your zeal and industry in accomplishing this important matter. To-morrow at ten I shall be glad to be surrounded by the cabinet. But I would rather have you ponder over the idea of separate conventions for each subject. Many friends think that a single treaty is best. Reserve this if you can for to-morrow. Yours, J. TYLER.

P. S.—I fear the extradition article; but we will confer to-morrow.

The treaty was signed on the 9th of August, and out of compliment to the American negotiator, the President requested Mr. Webster to throw upon paper the form of a message, which, being first submitted to the correction of Mr. Tyler, went forth to the Senate with the treaty on the 11th of August, 1841. Never was the independent position of the President shown to better advantage. Had he been, like Adams in 1827, a president with a minority party, he might have closed his administration with as little success as Adams. But being, in the language of Henry Clay, "a president without a party," and "the parties of the country being without a president," he was able "to place himself upon the broad and patriotic foundation of the whole nation."²

¹ In 1859 the question of allegiance again came up. At that time Mr. Tyler wrote to his son Robert a letter, from which I take this extract:

[TO ROBERT TYLER.]

"JULY 16, 1859.

"By the way, did not Gen. Cass commit a great blunder in his naturalization letter? Is the question of title to protection under the flag of the Union on the part of a naturalized citizen a point to be controverted by foreign governments in view of the fact of their encouragement of emigration? They grant passports and they encourage emigrant ships. Nay, so rigid is the system of police on the continent, that no one can leave without its being known to the officials. I put it strongly on that ground in the correspondence with Lord Ashburton in Webster's letter on impressment, and his lordship's answer was satisfactory."

² Niles Register, Letter of Henry Clay. Mr. Proffit said in the House, January 10, 1843, "If he understood the wishes of the present administration, it was desirous and anxious to go out of power with a good name. In a few years most of the speeches now made here would be forgotten, and with them would have passed

The ratification of the treaty was pronounced in the Senate by a vote of thirty-nine to nine.

[THE PRESIDENT TO MR. WEBSTER.]

MR. WEBSTER: The treaty came to me, with the ratification of the Senate, too late last night for me to communicate the fact to you. I take the sincerest pleasure in doing so now, and will send it to you this morning.

Yours,

J. TYLER.

Mr. Webster thus expressed his acknowledgments to the President:

[MR. WEBSTER TO THE PRESIDENT.]

AUGUST 24, 1842.

MY DEAR SIR: I greatly thank you for your kind and obliging letter of this morning.

I showed it to my wife, now on the eve of her departure for the North, and she immediately sequestered it, saying that she should keep it and treasure it up.

I shall never speak of this negotiation, my dear sir, which I believe is destined to make some figure in the history of the country, without doing you justice. Your steady support and confidence, your anxious and intelligent attention to what was in progress, and your exceedingly obliging and pleasant intercourse, both with the British minister and the commissioners of the States, have given every possible facility to my agency in this important transaction. Nor ought I to forget the cordial co-operation of my colleagues in the cabinet, to every one of whom I am indebted for valuable assistance.

Believe me, dear sir, with great sincerity and esteem, yours,

DAN'L WEBSTER.

Thus ended a negotiation which not only fairly and satisfactorily settled the north-eastern boundary, secured proper satisfaction and apology for an aggression on the soil and territory of the United States, made proper and safe stipulations on the score of suppressing the African slave-trade, set an example to the world in requiring the surrender of fugitive criminals, secured the

away the excitement and asperities of the scenes now passing around them. Then the country would look to the *records* for the *acts* of the present administration, and he believed that it would be imperishably recorded as having honorably settled every question with which it was charged when it came into power 'without a party.' Its very success would arise from the circumstance of its having no party. Did any one believe that the treaty with England could have passed the Senate had the president been possessed of the support of a party in that body? Had the Democracy been in the majority, and a Whig president, they would have said, 'This treaty will favor our opponents; let us reject it.' So also if the case was reversed. But John Tyler held the executive power, and having no party in the Senate, the result was thirty-nine to nine."

safety of the Southern coasting trade,¹ struck impressment out of the list of contested questions among nations,—but also averted a conflict with England, a general war throughout the civilized world, and the disruption of the Union itself. General Cass, in two letters written from Paris, in March, 1841, described the bitter feeling that prevailed in England against the United States, and the opinion of the French king that France could not long be kept out of the contest were the United States and England once engaged.² The antagonism between the North and South had, before Mr. Tyler's accession, already occasioned serious fears as to the permanency of our government; and the course of Giddings and Adams, during this session, had still further increased the exasperation of the South. In Upshur's opinion, a war with England at this time would have caused the "overthrow of our government, and the establishment of a Southern confederacy."³

The Washington treaty was afterwards several times assailed for factious purposes by factious minorities. In the discussions on the Oregon question in 1846, a general assault was made upon Mr. Webster for his conduct of the negotiations. He was accused, with Mr. Tyler, of using the secret service fund with a view to bribing the press of Maine to support the treaty. Among other things it was asserted by Mr. C. J. Ingersoll, of Pennsylvania, that Mr. Webster, after the death of General Harrison, and before Mr. Tyler had reached Washington from Williamsburg, had written a private letter to the governor of New York, and caused it to be sent by express, in which the governor was told that "McLeod must be released, or New York must be laid in ashes." Mr.

¹ To a question of Webster to Calhoun, in 1846, whether any new cases like that of the *Creole* had occurred, Calhoun said, "not to his knowledge."

² Curtis' Webster, ii., 62-'4.

³ [UPSHUR TO TUCKER.]

VAUCLUSE, March 1, 1841.

Shall we have a war with England or not? I trust not, and believe not, because I do not think that at this day two enlightened countries, closely connected by many strong ties, can go to war about a few pine logs without subjecting themselves to a division of the rest of the civilized world. The point of honor is nothing in modern diplomacy. As to the McLeod affair, England is so clearly wrong that she must give up. But suppose we have a war, what will be the result? In my opinion it will cause the overthrow of our government, the disruption of the Union, and if *England be wise*, the establishment of a Southern confederacy. Now, I do not want any such result from any such cause, but I do not see how it can be avoided. Let me know your views of this matter.

Webster, in his masterly defense of the Treaty of Washington, proved the utter falsity of this and other charges brought against him.¹ No private letter, in fact, on the subject of McLeod was written by Mr. Webster to Governor Seward after the death of General Harrison. Mr. Tyler alone had been the author of any letters proceeding from the government to the governor of New York, and they certainly did not remotely contain any such idea as was alleged by Mr. Ingersoll.

[JOHN TYLER TO DANIEL WEBSTER.]

SHERWOOD FOREST, CHARLES CITY COUNTY, VA., *March 12, 1846.*

MY DEAR SIR: Your letter of the 5th of March did not reach me until last night, and I delay not a moment in answering it. I have not the slightest recollection of your having written any letter to Gov. Seward during the pendency of the McLeod case. During your absence from Washington on a short visit to Boston, a letter was received by me in my official character from Gov. Seward, asking me to forbid Mr. Spencer, the United States attorney for western New York, from appearing in the defense of McLeod.

I did not deem it necessary to wait your return to Washington, and answered the Governor's letter under my own signature. This led the way to a correspondence of some length between us, which, as it related to a public matter, and one at the time of much interest, I deemed it best to have placed among the files of the Department of State, where it no doubt is now to be found, and is subject to the call of any senator.

Mr. Ingersoll's remarks in the House escaped my observation, but upon seeing Mr. Dickenson's statement in the Senate, I was upon the point of writing to you and requesting a call for my correspondence with Governor Seward, but was rendered silent by the knowledge of your presence in the Senate, and my belief that you would best understand what the exigency of the moment might require.

My desire is that the call should be made. Concerning the whole of that business the administration of which I was the head has nothing to fear. The peace of the country when I reached Washington, on the 6th day of April, 1841, was suspended by a thread; but we converted that thread into a chain cable of sufficient strength to render that peace secure, and to enable the country to weather the storms of faction by which it was in every direction assailed.

With true regard, I am, dear sir, yours, etc.

JOHN TYLER.

[JOHN TYLER TO DANIEL WEBSTER.]

SHERWOOD FOREST, CHARLES CITY COUNTY, VA., *April 21, 1846.*

MY DEAR SIR: Your letter, dated the 14th inst., reached me by our last mail, and I lose no time in acknowledging its receipt. The disposition made by yourself and Mr. Barclay of the call for the correspondence between Gov.

¹ See *Congr. Globe*, 1845-'6, 616, *et seq.*

Seward and myself was altogether appropriate. I desired its publication merely as a matter of history, and as containing an explanation of my course upon the subject to which it relates.

I read with much satisfaction your speech in answer to the objections urged to the treaty of Washington, and, unless I am totally deceived, I think you have put them for ever at rest, at least with the country. I am also pleased to learn that you design the publication, in a more durable form than at present exists, of the correspondence to which the negotiation gave rise. To yourself I am disposed to leave the selection of such documents as may properly enter into the compilation, having full confidence that whatever is done will be best calculated to develop the feelings and motives of the administration. My opinions on the right of search, and most of the other questions involved, were plainly expressed in my messages to Congress.

I have reviewed the whole procedure from time to time in association with the final result, and I cannot withhold the remark, that if we had consummated no other act than the treaty, we should better have deserved any other fate than the violent and unjust denunciations to which we have been subjected.

The newspapers had brought me acquainted with the proceedings of the House of Representatives touching the secret service fund, and I regarded them as quite extraordinary. Who submitted the papers to Mr. Ingersoll's inspection, I cannot so much as conjecture. Mr. Stubbs, the confidential agent of the fund, had the exclusive possession and knowledge of them upon my leaving Washington, and I do not think that he would have volunteered to make them public. As to the disposition which the President may make of the House resolutions, I certainly have no feeling, and I doubt not you are equally indifferent. This fact I think it proper to mention, lest it should escape your attention, that Mr. Van Buren, with not one-half the weighty matters to dispose of that occurred during my time, left a balance of but \$16,000 of the fund, all of which was consumed in the payment of engagements made by him prior to his leaving office. Swetzer and Tappan, for example, received upwards of \$10,000 for bearing dispatches to the South American States. My balance exceeded \$28,000. Considering the many important negotiations which were consummated, and matters disturbing to the tranquillity of the United States, which were quieted, I think I have a right to be regarded in any other light than as wasteful and extravagant.

Truly yours,

JOHN TYLER.

But there was another controversy growing out of the treaty which exploded at an earlier period. It has been remarked on both sides of the water, that probably the best *prima facie* evidence of the excellence of the Treaty of Washington consists in the fact that the ultras in both England and America fiercely assailed it. When Mr. Tyler came in, Lord Melbourne was prime minister, and Lord Palmerston secretary of Foreign Affairs. The peremptory demand of the latter for the release of McLeod was

met, as we have seen, by President Tyler with an equally emphatic refusal to comply. A change of ministry soon after ensued, and the Tories under Sir Robert Peel—a party always more favorable to this government than its rival, the Whig—assumed the conduct of the government of England. The government of the United States, under President Tyler, in the affair successfully maintained before the world the autonomy of the States, as it likewise did in the matter of the State debts, which British creditors wished the government to assume, and which, if they had been assumed, would have imposed an intolerable burden upon a depleted treasury, and established a principle involving, through the hope that these too would be assumed, all sorts of incentives to new debts. When, therefore, under the moderate and patriotic auspices of Sir Robert Peel, the “Ashburton Treaty” was concluded, it was stigmatized by Lord Palmerston as a “capitulation,” and the papers in his interest dubbed the noble negotiator “Lord Surrender.” Nine equally belligerent senators on this side of the water, headed by Benton and Buchanan, employed similar terms against Mr. Tyler and Mr. Webster. More especially was this the case with regard to the eighth article of the treaty, stipulating that both the high contracting parties should employ a fleet of eighty guns on the coast of Africa, in order to suppress the slave-trade.

I have already noticed the character of the controversy out of which the eighth article arose. England had made treaties with other nations of Europe, guaranteeing the mutual right of search, and in virtue of the same she claimed and exercised the right of visiting ships flying our flag on the high seas, with a view to ascertain their true national character. As the right of search had been one of the grievances leading to the war of 1812, and as it had never been conceded by our government in times of peace to any power, its exercise without our consent during Mr. Van Buren’s administration had roused against England the decided resentment of the large majority of our people. True, in Monroe’s administration, the whole cabinet, except John Quincy Adams, had acquiesced in the idea of a treaty stipulation to this effect; and in 1823 Charles Fenton Mercer, of Virginia, had secured the passage through Congress of a resolution authorizing the President to enter into such an arrangement; but the thing had fallen through, and only showed the astonishing lengths that Virginians,

who had led all the world against the slave-trade and slavery, would go if "left alone," while New England men like Adams were fixing up conventions, as at Ghent, in 1814, guaranteeing the restoration of "slaves or other property," or were proposing to annex Texas, or were denying the right of search to suppress the slave-trade, or were sending senators to Congress, like James D'Wolf, who was notoriously known to have made his fortune out of the slave-trade, in the face of the laws of his country. Whatever the cause that afterwards led the United States to decline the repeated offers of Great Britain to enter into stipulations of the kind mentioned, it was a fact of which Mr. Tyler at least had to take notice, that no such right had been conceded as that of permitting our ships to be searched upon the high seas.

England, indeed, sought to raise a distinction between the right of visit and the right of search. The one she claimed as a part of the law of nations—the latter she admitted did not exist in times of peace. The right of visit extended, she said, to a mere detention of the vessel and a verification of her papers. If the vessel was found to be an American she might proceed on her way "though loaded with slaves." This distinction, however, had no foundation in the maritime law of nations. The visitation would be often a worse than idle ceremony unless followed by search, and the search a wanton outrage unless the vessel was to be carried in for adjudication in case she turned out, in the judgment of the boarding officer, not to be American, and at the same time to fall within the terms of the treaty stipulations as to the slave-trade. And in confirmation of this assertion we may observe, that in all of the cases brought to the consideration of the British government by Mr. Stevenson, prior to his return to this country in November, 1841, the visitation was accompanied with the most rigorous search of persons and papers, of vessel and cargo, followed in some instances by a protracted detention, and in others by a carrying into port for adjudication.¹ The same remark made by Mr. Adams

¹ Henry Wheaton on the Right of Search: "The visit is intended for something or nothing. If for nothing, it is obtrusive and useless formality. If otherwise, it cannot be of the least importance, in principle or effect, whether the visitor searches the ship and inspects the cargo, or only examines the papers. It is left entirely to his judgment, after either of these acts, to decide upon the character of the vessel; and cases may occur where the papers are suspicious, in the opinion

when Secretary of State as to the concession of the right by compact, would apply to a submission to its exercise without compact; that is to say, that if the visitation be not carried out by search, "it would reduce the right itself to a power merely nominal"—the submission to which "would serve rather to mark the sacrifice of a great and precious principle than to attain the end for which it would be given up." Any government may unquestionably instruct its cruisers to detain and examine vessels within its own waters suspected of smuggling. But this is a local right, and not applicable to the high seas. But the real trouble lay in the unfortunate position assumed by Lord Palmerston (who was recognized as no friend to this country) in the beginning of his controversy with Mr. Stevenson. The mere practice of visitation or enquiry against so odious a traffic as the slave-trade would never have excited controversy with us, but it was the formal assertion of it as a *right* that awakened question. England alone was to blame if a harmless and necessary principle had been confounded with one rigorous and cruel in its exercise. The abolitionists saw slavery as the power behind the throne of the government, and Adams went so far as to make the silly charge that the home squadron was intended to furnish a convoy for slave trading vessels; but what did all this *bosh* mean but that they were determined to get up a war to the knife against slavery, and having but one idea themselves, thought every Southerner must have the single opposing idea? Slave-owner or not, Mr. Tyler had to fight England's pretensions. Only after she had publicly relinquished her claims could it comport with the dignity of this government to yield the mutual right of search; and in the meantime he had a right to object to the application of any influence upon this government tending to force it by actual violence or moral duress to abandon the immunity of our flag.

In the month of December, 1841, a convention of plenipotentiaries of the five great powers of Europe met at London, to consider the subject of a quintuple treaty, guaranteeing a general right of search to suppress the slave-trade, to take the place of the mere mutual right under the prevailing treaties. The signature

of the visiting officer, and an inspection of the vessel would prove that all was right. If the visit is necessary at all, a search is much more so, as affording the means of a proper judgment."—*North American Review*, lvi., p. 483.

of the treaty was anticipated by Mr. Tyler, in his message to Congress, on the 7th of the same month. He therein distinctly intimated that this government, in view of the attitude of England on the claims of right, could not but view the proposed treaty with dissatisfaction. His message arrived in Europe shortly after the signing of the Quintuple treaty, and evoked a degree of interest unprecedented in our history. In France so much jealousy was felt against England for her domination on the sea, that General Lewis Cass, our minister at Paris, taking the message as his letter of instructions, was encouraged to adopt a step which made his name, for a time, one of the most famous in this country.

On the 15th of February, 1842, Cass waited upon Mr. Guizot, the French minister for Foreign Affairs, and read to him a paper, in the nature of a protest, against the ratification by France of the treaty signed by its plenipotentiary at London on the 20th of December. The President approved the general line of Cass' views, and that approval he communicated to Mr. Webster as follows:

[TO DANIEL WEBSTER.]

DEAR SIR: I have risen from the perusal of the foreign newspapers with a feeling essentially in favor of General Cass's course.

The message has been the basis of his movements, and the refusal of France to ratify the treaty of the five powers give us more sea room with Lord Ashburton. To guard against contingencies, Todd ought to converse freely with Nesselrode, and particularly on the importance with Russia in maintaining the freedom of the seas.

The *Times* of London assumed a tone which looked confoundedly as if the ratification by the five powers was afterward to be proclaimed as equivalent to the establishment of a new rule of national law.

Yours truly,

J. TYLER.

The principle of the Quintuple treaty had been from the first no favorite with the people and press of France; and when Cass' protest was followed by the Ashburton treaty, stipulating for the employment by England and the United States of squadrons on the African coast, to act independently, but in concert with one another, the French chamber of deputies pronounced against the ratification of the Quintuple treaty. "For the first time in our history," wrote Wheaton from Berlin, "could it be said that the American government had exerted an influence on the policy of Europe." France made haste to follow our example, and in 1845 England

formed with her a treaty similar to that which Mr. Tyler suggested as the basis of the eighth article.

No wonder that at first the government of England was rather sore upon being thus out-manœuvred in its own favorite sphere of negotiation. The party opposed to the administration of Sir Robert Peel made it the handle of attack in the papers, alleging with much reason that the right of visit had been surrendered through the treaty of Washington. That this was the understanding of the American government at the time of the negotiation, was declared by the President in his message at the opening of Congress in 1842. A practical settlement of the question seems to have been the obvious purport of the treaty itself. Be that as it may, when Parliament assembled in February, 1843, Sir Robert Peel met the charge by a round denial. This denial he had already made in a letter to Mr. Fox, dated the 28th of January, which, obediently to instructions, was read to Mr. Webster, the Secretary of State, on the 24th of the following February.

Immediately Benton and his "clique" of *loco-focos* seized upon Peel's speech as a pretext to deal a blow at the administration here. And such a thundering speech was made by Benton against the "British Treaty" that the *Globe* was the only paper in the country that had courage to publish it.¹

But another circumstance came in to complicate the controversy; and this was the unexpected turn taken by General Cass himself against the treaty. It seems that Cass, after intelligence of the treaty, wrote to Mr. Webster, requesting the permission of the President to return to America, since "he could no longer be useful in France, and his private affairs required his presence at home." But when the request was acceded to in Mr. Tyler's

¹ This speech of Benton's is full of intentional misrepresentations. He accused the King of the Netherlands, who made the award in 1831, of being "on the list of British generals and in the pay of the British crown"—"a statement which happens, like too many others in Mr. Benton's speech, to be totally untrue." (*Quarterly Review*, lxxi., p. 561.) He charged Mr. Tyler with having voted against the award, and with having stood out for the full extent of the American claim, and garbles a certain vote given by Mr. Tyler to prove the fact. Mr. Tyler, as we have seen, voted *against* striking out the original resolution of Mr. Tazewell, voted *for* the substitute proposing new negotiations, and when the vote recurred on the original proposition of Mr. Tazewell, amended by the substitute, of course voted against it. It was this last vote that Benton ridiculously paraded in the Senate, taking no account of the first and second.

usual kind and generous way, and the letter of reply was on its journey across the ocean, Cass changed the ground of his return; and in another dispatch he avowed that, having seen the treaty, and finding that it contained no express renunciation of the right of visit, "he could no longer remain here honorably to himself or advantageously to his country." The fact was that Cass' head—never at any time very steady—had been dizzied by the applause given his protest, which had lately caused his name to appear among the presidential aspirants, and now he thought to put his return on more lofty grounds. Mr. Webster replied to Cass' letter, and tried to bring him to his senses. A duplicate of this letter was handed to Cass on his arrival in America, in November, 1842. Cass replied in a letter, dated December 11. The following note of the President explains itself:

[TO DANIEL WEBSTER.]

MY DEAR SIR: Cass' last letter ought to have a reply, beginning with a commentary on the singularity of the whole proceeding, and declaring the reply an end of the matter.

Benton's speech should be answered seriatim and with power. He stood by with his arms folded during Jackson's and Van Buren's administrations, and permitted almost a surrender of the principle involved in the *Creole*, and now shows wonderful zeal. You remember Mr. Calhoun's resolutions about that time, which saved the principle from surrender.

A word to you is enough.

J. TYLER.

A second letter of reply was written by Webster, dated December 20; but on an understanding with Cass, who came to Washington, and had several interviews with Mr. Webster, it was not delivered at this time, the President having no wish to continue the correspondence unless it became absolutely necessary. But Cass was proud of his exploits, and his friends pressed call after call upon the government for his correspondence. These were not immediately answered by Mr. Webster. Then came Peel's speech, and the President wrote to Webster:

[TO DANIEL WEBSTER.]

February, 1843.

DEAR SIR: Sir Robert Peel's speech renders the publication of the correspondence with Cass more urgent. Every day's delay will injure us. Let the whole blast be at once over.

Yours,

J. TYLER.

On the 23rd of February, in response to a call from the House,

the President sent in a special message fully explanatory of his views on the question of visit, and ably maintaining the construction imposed upon the eighth article by his message at the beginning of the session. And on the next day he submitted to the Senate the full correspondence with Cass. The "blast" was indeed soon over. On the motion in the Senate of Benton and Bagby, to strike out from the bill making appropriation for the navy so much as related to the African squadron, only Allen, Benton, Linn, and Smith of Connecticut, voted aye, while all the rest of the senators, numbering thirty-six, voted no. In the House a like proposition was defeated by a vote of one hundred and thirty-seven to forty. Thus was the treaty fully endorsed.

By the African squadron Mr. Tyler not only took a step which none of his predecessors had taken in the suppression of the slave trade, but he added to the strength of the navy,¹ and opened the way, in fact, for the treaty of 1862, guaranteeng the mutual right of search. That his course in this affair was dictated by what was most promotive of the honor of his country and the interest of humanity, is shown from the fact that the eighth article received the condemnation of the *ultras* on both sides of the slavery question. William L. Yancey, the leader of the "new school" of Southern statesmen, generated by friction with the abolitionists, denounced the African squadron as destructive to slavery;² and a Southern convention, which met at Nashville in 1857, pronounced it a discourtesy and insult to the South. The following letters written by Mr. Tyler at the latter named period are historical :

[TO ROBERT TYLER.]

SHERWOOD FOREST, September 5, 1857.

DEAR ROBERT: Your letter of August 29th and the paper I sent you reached me two mails ago. I immediately, with some alteration, copied the paper and sent it to the *Enquirer*. The last *Enquirer* has not reached me, and I am, therefore, not able to say whether it has been published. It occurs to me that its publication will have some effect in delaying the revocation of the eighth article (I believe it is the eighth) by our government. Cass, you will remember, got into a snarl about that article with Webster, and will be inclined to abrogate it. The President may conclude that it is well to let well

¹ Upshur, at the session of 1842-'3, reported that for some time past no ships of war had been on the African coast, and that, chiefly in consequence of this want of protection, "several of our vessels had been captured by the natives, and their crews barbarously murdered."

² See Hodgson's *Cradle of the Confederacy*, page 398.

enough alone. The movement of the further Southern States, or, to speak more by the book, a few of the Southern people, is made as preliminary to the agitation of the question of the slave-trade, and the Virginia delegation were weak or blind enough to fall into the snare, when there is not a single interest of Virginia which is not opposed to any such agitation.

The fire-eaters agitate it for the sole purpose of reviving the agitations of the slave question in and out of Congress. Repeal the provision in the treaty, and the American flag will fly at the mast-head of every slaver on the coast of Africa. Great Britain will revive the question of her right of visit, as she claimed it, and the consequences may end in war. This claim will go far towards the annihilation of the United States trade on that coast, and the engrossment of that trade by Great Britain. We shall see what we shall see—and so ends my catechism.

Is Letty still with you? I would visit her at once if I could leave home. My wheat has given me infinite trouble, and I have no manager in place of J. C. In a few days I hope to be better off, but even then my absence from home must be short. Give her my best love, as also to Priscilla and the children.

Your father,

JOHN TYLER.

[*Paper Enclosed.*]

This is hastily written, and the ideas only imperfectly suggested. It would of course be greatly improved.

MESSES. EDITORS: I depart from the course which I have all along pursued since I left Washington, a course of silence in regard to all public political discussions, in order to vindicate an act of mine (while in the administration of the United States government) against an attack made upon it by a member of the recent Southern commercial convention at Knoxville, and which was apparently sanctioned by the majority vote of that body of discourtesy and insult to the South, because of the incorporation into the Treaty of Washington of the provision which stipulates for the employment of a naval armament of eighty guns on the coast of Africa for the suppression of the slave-trade when *prosecuted by American citizens*. I propose to do no more than revive with the public the recollection of all the incidents which led to the incorporation of that provision in the treaty, and having done so I shall be entirely content to leave the matter to its arbitrament. The remarks reported to have fallen from members in debate upon the main subject, are so entirely variant from the public sentiment entertained, as I believe, throughout the entire South in 1842, as in some measure to create surprise. Who in 1842 ever dreamed that there would have been, as early as 1857, a proposition seriously made to revive the slave-trade? Certainly I entertained no such idea, nor did, as I believe, any one of the able men who were my constitutional advisers. I really thought, and often said, that the Southern States were more opposed to the slave-trade than any other portion of the people. They had voted for the act of Congress declaring that all citizens of the United States who should engage in the slave-trade should be regarded, and if convicted, punished as pirates—*hostes humani generis*, as pirates by the laws

of nations are declared to be. How then a provision incorporated in a treaty to enforce a law for which the South had voted could be an insult to the South, I must say passes my comprehension. But I desire to call the attention of the country to the facts as they existed shortly antecedent to the Treaty of Washington. The British government had insisted upon the right, under its various treaties with other nations, to visit ships sailing under the American flag, for the purpose of ascertaining the true character of the ship over which that flag floated. She had put this claim often into practice. That fact called forth strong remonstrances from Mr. Stevenson, who was then our minister at London, and a most able argument in pamphlet form appeared soon after from the pen of General Cass, who was our minister at Paris.

Both the one and the other were approved by the administration; and in my annual message to Congress I took decided ground against the claim set up by Great Britain, and took occasion to say, that as the United States was the first to declare, so far as its own citizens were concerned, the slave-trade to be piracy, so the United States were fully able to enforce their own laws without the aid of British cruisers. Thus the two governments stood antagonized upon the question,—Great Britain on her part insisting that she meant no insult to the American flag, but that it was impossible for her to recognize, without a visit to the ship, whether she belonged to the nation whose flag she bore, or had assumed that flag merely to deceive, thereby seeking an indemnity under the American flag, when the ship, officers and crew were Portuguese, Spanish, French, or some other nation intent on the slave-trade, which countries by treaty had given to Great Britain the right of visit and search. Great Britain also urged upon the government, as a consideration for acquiescence in the matter, that if the vessel visited turned out to be truly American, bound on a peaceful mercantile voyage, she would indemnify all loss and every damage sustained by such vessel, as she had honorably done in all preceding cases. Lord Ashburton was possessed with powers to negotiate on this as well as other subjects, and upon conference with the American negotiator, I reiterated my declaration made in my annual message, that the United States were able to enforce their own laws, and that I should see to their enforcement, treaty or no treaty, under the obligations of duty. I then suggested, by way of carrying out this duty on my part, that we should keep upon the African coast an armament sufficient to visit all ships that might hoist the United States flag, and fall under suspicion, but that we could not permit another nation to do so for us; and upon that basis the stipulation in the treaty has in my view always rested.

Certain it is that, for the after-time of my service, no visit, much less search, of an American vessel occurred on the part of the British. Repeal that provision of the treaty when the government pleases, it will still find itself obliged to maintain on the African coast eighty guns at least for the due protection of the commercial traffic of merchant vessels with that coast—a traffic every day increasing in value, and destined in the end to be of vast magnitude; and I would recommend to the next commercial convention, that before they annul that provision of the treaty of Washington, they repeal the law relative to piracy.

The latter letter was copied from the *Enquirer* into most of the leading papers of the country, and attracted universal comment at the time.¹

This, however, was not the last of the right of visit. In 1858, while Mr. Buchanan was president, Great Britain dispatched a number of small armed vessels to repress the slave-trade off the coast of Cuba. These vessels exceeded their orders, and rigorously searched the American vessels employed in the commerce of those seas. A burst of indignation ensued throughout the United States. Protests (in diplomatic form) were made by General Cass, the Secretary of State, and the government of England having taken the advice of the law officers of the Crown, formally renounced the right of visit,² which the treaty of 1842 had hitherto extinguished. An article in the *Herald*, about this time, reflecting on Mr. Webster and Mr. Tyler, elicited the following interesting letters from the ex-President:

[FROM ROBERT TYLER.]

PHILADELPHIA, *August 27.*

MY DEAR FATHER: I do not exactly comprehend the drift of the enclosed article from the *Herald*, whether to make Mr. Rives or Mr. Webster, or some one else, at *your expense*, the exponent of those principles on which the right of search question now rests. Will you read this paper attentively, and let me have your views, sending the communication back to me? Take such steps as you may deem necessary.

I wrote to you some time since informing you of John's present situation with Attorney-General Black. He is doing very well.

General Cass distinctly places himself recently on Mr. Webster's letter, written while he was your Secretary of State, and the reporter of your views as President of the United States.

We are all very well. Love to all. Your affectionate son, R. TYLER.

P. S.—Considering the attempt at the time to depreciate your administra-

¹ In a letter to his son, dated Sept. 15, 1857, Mr. Tyler wrote: "The African squadron letter has created quite as much noise as I anticipated."

² "It had become the duty then of Her Majesty's government, in consequence of the unfortunate circumstances which had recently transpired, to enquire what were our rights; whether, if we had such rights, we should be prepared to stand by them; and whether, if we had them not, we ought not at once candidly to disclaim them; they had accordingly taken the advice of the law officers of the Crown, whose decided opinion was, that by international law we had no right of search, no right of visitation whatever in time of peace; that being so, he need not say they had thought it would be unbecoming in the British government to delay for one moment the removal of this conclusion."—*Speech of Mr. Fitzgerald in the British Parliament.*

tion, I never knew gentlemen more anxious to appropriate what you performed. For a long time they tried to take the Texas question from you.

[To ROBERT TYLER.]

VILLA MARGARET (NEAR HAMPTON), Aug. 29, 1858.

MY DEAR ROBERT: I have received your letter of the 27th, and carefully read the article from the *Herald* which you enclosed. Who is its author, or why written just at this time, is to me an enigma. General Cass and Mr. Webster got into a *personal* correspondence upon the return of the first, under leave asked, to the United States, in the year 1842 or 1843, I forgot which, but the controversy seemed to be confined to the article in the Ashburton Treaty, stipulating the maintenance of fleets on the coast of Africa, for the enforcement of our own laws touching the slave-trade. Webster, in that correspondence, showed up the fallacy of any surrender of principle which his antagonist had ascribed to that article, which was adopted not only in strict coincidence with my own views, but upon my own suggestion, as may be readily surmised by the language of my message of December, 1841, in which, while expressly denying all right of visitation or search of the American flag for the slave-trade, I affirm the ability of the United States to execute their own laws without the aid of any foreign power. This declaration was the basis upon which that stipulation was made to rest; and after the treaty was ratified, I reasserted that doctrine as the true foundation of the article. True, there was no express recognition of it in any correspondence between Mr. Webster and Lord Ashburton; but there was my message before the world, distinctly repudiating the claim of Great Britain, and asserting our ability to maintain our own laws. Surely the acceptance by Great Britain of that article with the message before her was equivalent to a renunciation of the claim.

In my message after the treaty I refer to it in the above spirit, as a question settled by the eighth article of the treaty. In the absence of all commentary upon the first message or article of the treaty by the negotiators, Sir Robert Peel took occasion to animadvert upon the message of 1842-'3. He declared that the eighth article had not been accepted by the British government in lieu of the right of visit, and that the right would not be abandoned. Congress called for information, and I gave it in an after message, and entered into an elaborate argument in support of my views upon the question; and I defy any man, having in view the whole context, to say that there was any concession of any sort made to the British government of the point in any shape or form. I know that Mr. Rives *expressed regret* at some fancied concession on my part. He could only have done so by confounding the right to search vessels suspected of piracy upon the high seas with the African slave-trade, to be engaged in which subjected American citizens to punishment under our municipal law, and not under any international law. The pirate under the law of nations, viz., a ship cruising against and capturing the ships of all other nations for plunder, is *hostis humani generis*, whom no flag protects. But the slave-trade is not piracy in that broad sense, and this has been repeatedly conceded by Great Britain, her

declaration being that, if upon visit, the ship visited sails under papers regularly granted by America, or in other words, in an American ship, with American papers and under American colors, she will be permitted to go on her way, although loaded with slaves. What Mr. Rives "proceeded to show" was nothing new. It had been shown by Stevenson at London, by Cass at Paris, by Mr. Tyler in his messages, and by Webster in his correspondence. It had been asserted in every form and on every occasion. Stevenson was endorsed; Cass was endorsed; my own messages fully affirmed the doctrine; and he must have optics so keen as "to see what is not to be seen;" who can detect in my messages one word of concession or retraction.

Pray scan the messages, and if there is a retraxit, point it out to me. I would have *fought* against the claim, if after the treaty it had been exercised; but notwithstanding Peel's bluster, the treaty, during my term, and for years after, extinguished the practice. It has been revived since on the coast of Cuba, as if merely to be renounced definitively.

As to Lord Aberdeen's flourish about his letter being unanswered, it only makes the old man ridiculous. The letter is written, as he says (I know not its date), about the time that Lord Ashburton arrived in this country with full powers. The place of negotiation was transferred from London to Washington. The representative of the British government was here, and not in London; and we could not have been guilty of so much folly as to notice the letter in any other way than as blended with the negotiation.¹ Doubtless the whole subject was talked over between the negotiators, and doubtless Mr. Webster may have often expressed himself satisfied. The treaty satisfied the President and Congress, and the two countries, and thus no further ground was left for dissatisfaction concerning Lord Aberdeen or Sir Robert Peel, or any one else. No notice would ever have been taken of Lord Aberdeen's letter of 20th of December, 1841, but for the effect of my message of '42, which called forth his dispatch to Mr. Fox of the 18th of January, 1843, which, in due time, was followed by the able and conclusive reply of Mr. Webster, of the 28th of March, 1843. There was no delay greater than was necessary to prepare an able state paper, and subject it to a close and searching revision. Every word was weighed and reweighed in cabinet council, and received my entire approval. Why, after that dispatch, is this attack made on the memory of Mr. Webster? Is it a part of the old controversy of 1843? Why Mr. Rives placed forth so prominently? Is all this the fruit of what an old man—now past eighty I presume—said on the floor of the British parliament, merely to shed a halo around his sunken orb? Or do men on this side of the Atlantic seek to gather laurels at my expense?

¹ "From the published correspondence, it appears that the reception of the letter of Lord Aberdeen was acknowledged by Mr. Everett three days after it was written, and that he then gave notice of his intention soon to prepare a more formal answer, from which he was dissuaded by Lord Aberdeen himself, who said Lord Ashburton was furnished with full powers to treat on this question in Washington, and it was therefore unnecessary and inexpedient to discuss it further in London." *North American Review*, lvi., p. 487.

I tell them now, and I tell them ever, that they are but the *administrators de bonis non* of my administration, and often bad administrators at that! The idea of my conceding to Great Britain any thing! Fudge!

Your father,

JOHN TYLER.

P. S. You are aware that the negotiation with Lord A. was conducted without protocol or letter. The letters were written after agreement, and each submitted to me and received my correction. It may be too early to mention this fact publicly.

[TO JOHN TYLER, JR.]

SHERWOOD FOREST, September 7, 1858.

DEAR JOHN: Your letter of the 30th of August was forwarded from Hampton, with its enclosures. I think that, in regard to the Zolverein Treaty, the better way will be to get some senator to move next winter the removal of secrecy from the treaty and proceedings of the Senate. In the meantime your article of the 17th July to Bennet, altered to suit the new direction to the *Enquirer*, as having published the article from the *Herald*, might call public attention more distinctly to the subject, and thus open the way to the motion proposed to be made in the Senate. I have passed my pen through a line which contained an attack upon the Senate. The better way is never to use an acrimonious expression. "Still in your right hand carry gentle peace to silence envious tongues," is an expression full of wisdom. I am outliving past slanders, and a few years more they will cease to exist, if left alone. We want nothing more than *facts* for history. The article you enclose on the right of search, Robert had previously sent me, and I had given him a commentary on it in free language. I hope he duly received it. I am interested to know who is the author. I do not believe that he is to be found in the *Herald* office. Drop him—Robert—a note upon the subject. Old Lord Aberdeen, if he said what is ascribed to him, must be demented. His letter to Webster arrived in Washington about the time of Lord Ashburton with full powers. The negotiation was transferred to Washington, and yet his lordship dwells on the fact that his letter was not answered for twelve months. How ridiculous! It would never have been answered but for Sir Robert Peel having taken exception to my message to Congress, in which I said that the eighth article of the treaty, stipulating the maintenance of a fleet of eighty guns on the coast of Africa, had settled the question of visit or of search. This called forth my message of the succeeding year, under a call from Congress, and was followed by a letter from Lord Aberdeen, which was promptly and conclusively answered by Mr. Webster.

His lordship's letter was dated about the 18th of January, 1843, and Webster's 28th of March. Mr. Rives expressed regret in the Senate at a surrender which was never made. See the message, and Rives' speech in the papers of the day, and say whether Mr. Rives did not discover a mare's nest, and whether he did not concede more than myself. Do look over the message, and tell me if there is any the slightest concession. *Pirates*, made such by the law of nations, are *hostes humanis generis*, whom every body has a right to destroy, but the slave trade is not piracy under the international law, and there-

fore an American ship, with American papers and under the American flag, cannot be stopped by a British cruiser, and so says Great Britain herself, and so say we—a vast difference truly between the cases, which Rives failed at the moment to see. Robert has somewhat more extended views from me, which he can improve upon.

I fear I can neither follow the example of Cicero or Pliny at the Villa Margaret. They had nothing to do but to write, while I have six children to supervise, as well as a household. Nor can I go to Havanna. No, my desire is that my last days may be passed in Virginia, who, notwithstanding her neglect of me in the last and most important days of my public career, yet was for all prior time a kind and fostering mother. So may God bless her throughout all her border.

I go to Hampton to-morrow, where I shall remain a week, then return for a few days, after which I shall probably summer below until first of October (seeding time). The drought is terrible, and famine will next year walk abroad over the land.

Your father,

JOHN TYLER.

I reinclose the article, with pen marks.

CHAPTER IX.

1841—1843.

"To Mr. Tyler is chiefly due the addition of the great State of Texas."—ALEXANDER H. STEPHENS, *Pictorial Hist. U. S.*, p. 479

THE ANNEXATION OF TEXAS.—POLITICS IN THE FALL OF 1842.—MR. TYLER'S LETTER TO MR. TAZEWELL.—THE PRESIDENT ORGANIZES HIS PARTY.—TEXAS.—ITS ANNEXATION ATTEMPTED BY ADAMS AND JACKSON.—ANNEXATION PROPOSED BY MR. TYLER TO WEBSTER.—ATTEMPTS AT SECURING THE RECOGNITION OF THE INDEPENDENCE OF TEXAS FROM MEXICO.—THE PRESIDENT PROPOSES A TRIPARTITE TREATY.—THE INDEPENDENCE OF THE SANDWICH ISLANDS RECOGNIZED.—SPECIAL MISSION TO ENGLAND PROPOSED.—FAILURE OF THE MISSION AND RESIGNATION OF WEBSTER.—RELATIONS OF MR. TYLER AND MR. WEBSTER.—CALEB CUSHING DISPATCHED AS COMMISSIONER TO CHINA.—THE AFFAIR AT MONTEREY.—VON HOLST'S VAGARIES.

PRESIDENT TYLER had concluded the first year of his administration in complete and happy triumph. Great questions of public policy had been settled; the test of the vice-president's accession had been fully sustained; and the dead hopes of his numberless enemies lay thick about him. The people, too, had unequivocally shown that they were opposed to a Bank, and in favor of maintaining the qualified veto of the executive, even though Mr. Tyler had made more frequent use of it than any of his predecessors. In a period of little more than twelve months he had employed the veto four times, and "pocketed" a bill for distributing the proceeds of sales of the public lands, passed on the heels of the session. The use of his negative, however, was purely defensive. It was used in the face of Adams' declaration of "war to the knife," and of Clay's proclamation to make the executive a mere nullity in our government.

In the interval between the adjournment of Congress in August and its reassembling at its last session in December, the political caldron was even more violently excited than during the late session. It was a time of anxious thought with the presidential aspirants. As long as the party could *think*, Clay was the very last man who would have gained their suffrages as president. They

were too well aware of the defects of his character to suppose that he could ever make a successful president. That office required something more than oratory, a commanding mien, an entire absence of political principle, and a rash and dictatorial temper. Hence, Scott and Webster were to the last not without their hopes that an ultimate rally might be made upon one of them. But Clay had not fought the battle of the extra-session for his courage now to fail him. His entire aim from the first had been the succession; and his chances for the nomination in 1844 depended alone, as he knew, upon success in working the Whigs up to a condition where thought would be impossible. The manifesto of the previous September had been put forth by a few of the most ultra members of Congress; and yet, by its sheer violence, it had compelled the majority of the Whigs, to their own regret, into the most radical positions.

True, the retention of Webster in the cabinet had compelled a certain portion of the Northern nationals to deport themselves with some degree of reserve; and to these were added all the State-rights Whigs of the country who had the courage to maintain their old principles. With the President at least a nomination in 1844 was entirely in abeyance, but Webster from the first had unquestionably staked his chances upon a union with him to exclude Clay from the succession, and to secure that place for himself. And there was nothing to the reproach of Webster in that, since with the President and his cabinet he had in good faith resolved to rest all his chances upon the noble platform of the public good. In the settlement of the difficulties with England he saw a way to the presidency broad enough for the whole people to travel, with Daniel Webster at the head!

It was a singular circumstance that the men who were thus through Webster drawn to a *quasi* support of Mr. Tyler belonged to that very old anti-Masonic troop who had been most antagonistic to him in the past,—Greely, Seward, Thurlow Weed,¹ and others, born and bred in the New York school of wire-working—politician bosses,² spoils seekers, the devisers of the national con-

¹ Seward's Seward, p. 565.

² I remember reading about two years ago a sketch of Weed, where it was stated that he frankly admitted his being a "boss." A little before that Weed himself promulgated the fact—and seemed to be proud of it—that the murderers of

vention,¹ men whose greatest merit was that they had reduced politics to a finer art than the Albany regency of the *loco-focos*. Rely upon it, Mr. Tyler knew them most thoroughly; he knew that all they wanted of him was to *use* him, and because they hated Clay; and he was resolved that, without sacrificing himself, he would use *them* for the public good. And he did it for a year.

But alas for Webster's ambition! Clay's policy of agitation proved a more potent engine with the Whigs than saving the people from a war with the first nation of the world. To excite the passions of the Whigs to frenzy, and to get his henchmen to write editorials and spout speeches, making it appear that Webster and Tyler were identified with the Democrats, was a far more certain way to the longed-for goal. The old anti-Masons got cool in Tyler's service when they found to their surprise that the President was using them, and they were not using him in any degree. The result of it all was that Clay beat Webster with the nationals. The old anti-Masons became henceforth the bitterest revilers of Mr. Tyler. State conventions were early gotten up to order the decision of the coming national convention; and the last hope of Webster passed away when, as early as September, 1842, a convention in his own State, despite his own solemn entreaty,² nominated Henry Clay for the presidency.

"Where am I to go?" asked Webster at Faneuil Hall. The popular elections that followed shortly after confirmed, by a Democratic victory in Massachusetts, Clay's supremacy among the

Morgan, whose proposed publication of the secrets of Free-Masonry led to his death, made him their confidant. Weed kept the secret—thereby making himself an accessory to the murder—and nevertheless lustily beat the drum of anti-Masonry against his confidants and Free Masonry to promote his own political advancement.

¹ The first political national convention was called by the anti-Masons in 1831.

² The following is an extract from a letter written by Mr. Webster to influential Whigs at Boston previous to the convention at Faneuil Hall, which nominated Henry Clay in 1842:

"Next year this time will be quite in season, and nothing appears to me to be necessary now, but to make a strong rally for the State government. Such is Mr. Clay's present position that no one can fail to see the awkwardness of pressing him at the present moment. Such a proceeding can do him no good, and I fear would be sure to give the State to the *loco-focos*. It is not to be disguised that these premature nominations have not helped the Whig cause in States in which elections have been held, such as North Carolina, Indiana, Illinois."—Niles' Register, lxiii., p. 232.

Whigs. Webster saw that the Democrats were coming into power, while he had lost all grip upon his own party. He saw, too, that he could not help the President with the Whigs, and he could not help himself by remaining as Secretary of State; and yet to forward the ambition of Clay was an insupportable idea. On the whole, he decided to go to England, if he could, and get out of politics. And if this motive was a selfish one, he might very well be excused for it, since at the same time he was impelled by the honorable motive of settling the Oregon question.

But what thought the President of the changed state of affairs? Hitherto he had rested on both parties, holding the ultras on either side at defiance. 'Tis true that Upshur declared, as early as December, 1841, that the President and cabinet had all agreed to form a new party,¹ but this meant no more than securing administrative support, and had no reference to the presidency. The new party consisted of all the moderates who would lend a helping hand to *measures*. The appointment abroad of such men as Edward Everett and Washington Irving, and the tone of the letters of the President and his advisers, prove conclusively that this was the honest intention.² Thus, by using both parties, the administration

¹ See page 154.

² [UPSHUR TO TUCKER.]

“WASHINGTON, December 12, 1841.

“He (Tyler) is now determined to take a middle course, avoiding ultraism on both sides, and aiming at the approbation of the temperate and sober minded of both parties. . . . I verily believe that he is determined on this course. He speaks of his re-election without any sort of reserve, as a thing that may or may not be, and as a thing which he may or may not seek. . . . Benton and Clay are both rapidly losing their influence, and they are the exponents of *ultraism*. Upon the whole, but for the conduct of these repudiating States, I should cherish the most cheerful hopes of the future.”

In another letter Upshur wrote :

“The mere game of politics is one at least at which he (Tyler) will certainly be beaten. He has no chance but in placing himself upon broad principles, and adhering to them with boldness and independence. An honest administration, looking only to the public good, and discarding all selfish considerations, is what the people require. They are tired of political intrigue and partisan conflict. Let him come out then boldly and without reserve, and avow that he means to administer the government with a view only to the public good. But it will not be enough merely to avow this purpose; he must give proofs that he means honestly to pursue it. Now, it is exactly here that the patronage will be useful. If he will fill the offices with the best men he can find, with only so much regard to their party relations as not to arm his avowed enemies with the power to injure him, he wil

had had extraordinary success in effecting the triumph of all its policy, now by Whig votes and now by Democratic. But the times had changed, and a very different condition of affairs was presented in the fall of 1842. The Democrats would have control of the next Congress; and as the President could no longer hope, after Clay's nomination in Massachusetts, anything from Webster and his friends, he had either to organize his friends for the presidency, or to throw himself completely into the arms of the ultra Democrats. On this question he took counsel with his old friend and colleague, Mr. Tazewell.

[JOHN TYLER TO L. W. TAZEWELL.]

WASHINGTON, *October 24, 1842.*

MY DEAR SIR: Your letter with the postmark of the 20th of October reached me two days ago, in which you ask that Mr. John Wickham may receive the appointment of cadet at the West Point academy. I need give you no assurance of the pleasure I shall always experience in meeting your wishes, and especially in the behalf of the son of one who, although I could not claim a personal intimacy with him, was nevertheless highly esteemed by me for his enlarged intellect and gentlemanly deportment through life. Mr. Wickham shall be borne in mind, and if he does not receive the appointment it will be owing to impediments lying in the way not now seen or anticipated.

I quitted the Rip-raps most reluctantly, without having had a further interview with you, which I most earnestly desired. You are a mere spectator of the busy and interesting scenes which are now passing before the eyes of the world, and I desired to draw profit from your dispassionate views and close habits of investigation. My return hither was, however, rendered necessary from letters which reached me two evenings before my departure. So far the administration has been conducted amid earthquake and tornado, and yet if it had nothing else to point to but the English treaty as the result of the last eighteen months, I think that it should be fairly entitled to some small share of praise as a set-off to the torrents of abuse so unceasingly and copiously lavished upon me. Of what importance to every interest the maintenance of peace with a nation—war with which could not fail to involve in its consequences the whole civilized world,—a long peace, I trust—will shortly receive its guaranty in the ratification of the treaty by England. Mr. Everett writes in such terms about it as to leave but little doubt of its being done, and the impression exists that the delay of its ratification has proceeded in some measure from the fact that Lord Ashburton, instead of visiting London immediately on reaching England, went to see his family at his country seat.

But I am still destined, my dear sir, to navigate the bark of state amid all

establish himself so firmly in the public confidence that it will not be possible to injure him. Men will flock to him from all sides, rejoiced to find under his auspices some relief from the agitations and strifes of party contest."

the convulsions and agitations of faction. The *ultras* of both the prevailing factions will not consent to ground their arms, although the signal defeat which one has encountered should teach wisdom to both. Is there any other course for me to pursue than to look to the public good irrespective of either faction? or can I best acquit myself of my important duties by yielding myself into the hands of a party calling itself Republican, but which I *fear has a cohesion of party without a cohesion of principles?* My strong determination sometimes is to hold, as I have heretofore done, the politicians of both parties and of all parties at defiance, and to continue to rest on patriotic motives and broad principles of public good. But the difficulty in the way of administering the government without a party is undoubtedly great. From portions of the Democratic party I have received an apparently warm support: but while the *ultras* control in the name of *party*, I fear that no good would arise from either an amalgamation with them, or a too ready assent to their demands for office. Do I ask you too much when I desire that you will place yourself in my situation, and tell me what course you would pursue under similar circumstances? You are the only person living of whom I would seek counsel upon such a question, and what you shall say to me will be confined to myself and fully weighed.

I send you Webster's speech corrected by himself; he has much modified it in some leading particulars. The inference, however, is still fairly deducible from what he says that the exchequer is *his* plan. It is due to him, however, to state that he means to put in no such claim. For good or for evil, it is of my own purposing, it being the best thing which occurred to me. It is the cabinet's *by adoption*.

I renew assurances of my great respect, and tender my best wishes for your health and happiness.

JOHN TYLER.

Mr. Tazewell's letter of reply has unfortunately not been preserved, but Mr. Tyler's policy was speedily developed according to the indications of his letter. If services were anything, Mr. Tyler was more entitled to the gratitude of the Democratic party than any man in their ranks. And this gratitude the State-rights section of that party had not been slow to feel or to show. But then the *loco-focos*, headed by Benton and Van Buren, ruled the party, and loud as they had praised the President, it was certain that Mr. Tyler could never return the love. It was this element that had caused the disruption of the Democratic party in 1833, and while Mr. Tyler was now perfectly willing to lead them in the path of right, or subordinate himself to the party claims of any other Democrat of true Jeffersonian principles, he could never submit to the reign of *loco-focoism*. *That*, indeed, would be a treason to his country.

The policy of Benton therefore, was to destroy all ten-

dencies to union between the President and the Democrats in their inception. This was the cause of his furious opposition to the Ashburton Treaty, to the support of which the moderate Democrats had so zealously rallied. In the elections in New York, in the fall of 1842, which resulted in favor of Bouck, the Democratic candidate for governor, the friends of Mr. Tyler and their paper, the *Union*, co-operated with the Democrats. The *Globe*, the organ of the *loco-focos*, perceived the fact, and took alarm lest the President would oust them from the party lead. From that time the *Globe* became more furious in its abuse of the President than the *Intelligencer*.

The President, observing that the grip of the *loco-focos* was fastened on the party, adopted the only expedient left him. He would have been readily enough received into the ranks, if he had shown a disposition to throw the influence of his administration in favor of Van Buren. This he could not do. Nothing was left to enable him to maintain his position between the fires of the two contending parties, but to rally his friends everywhere through the Union, "ostensibly in reference to the presidency *in his own person*, but in truth for the sole purpose of controlling events by throwing in the weight of that organization for the *public good*." This movement, which took form for the first time during the session of 1842-'3, was destined to exert a determining influence upon a question of no less importance than the

ANNEXATION OF TEXAS.

The period from the Revolution to 1850, may be styled as one of great possibilities for the statesman. Commercial treaties were uniting the nations of the earth into a common brotherhood. When Mr. Tyler became president, the English were compelling the vast empire of China to open its ports; and diplomacy was courting the reciprocities of the most exclusive and remote countries. At home the boundary lines on the north-east and north-west were not defined, while enterprise and ambition were casting longing eyes on our south-west frontier, over that boundless country stretching away to the Pacific ocean,—a country to which Mexico seemed to have more of a claim than a substantial right. Not a man of all his predecessors made more realities out of those possibilities than did John Tyler.

The treaty of 1803, by which we acquired Louisiana, left the

boundaries undefined. After a long controversy between Spain and the United States, good feeling was for the time restored in 1819, by the cession on the part of Spain of the Floridas, and the establishment of the Sabine, the Red river, the Arkansas, and the latitude of forty-two degrees, as the boundary line between the United States and the Spanish possessions. The South was especially satisfied with the treaty, as it exchanged the mere claim to Texas as far as the Rio Grande for the substantial fact of the Floridas, long a thorn in our side, and rounded off our territory on the Gulf.

In 1825, Adams, who was then president, began negotiations to recover Texas, which he alone of the cabinet of Monroe had been unwilling to surrender. This attempt was made while Mexico was still claimed by Spain, and after the controversy over the admission of Missouri had been settled, permitting slavery to the south of the line of thirty-six degrees thirty minutes. True, in the year before Mexico had issued a decree of emancipation, to apply to all her territories; but if the question of slavery was thought of at all, how could it escape Adams' mind that, lying on our southern flank, it was bound to be settled by slave-holders? It certainly had not escaped the discernment of Thomas Ritchie, when, in his editorial, in 1820, on the settlement of the Missouri question, he had pointed out to the South the fair domain of Texas. Was the obtuseness of Adams due to the fact that at that time he was looking to the presidency as the successor of a Virginia line—so zealous indeed of Southern interests as to sign his name to a treaty declaring a national property in slaves, to another adding the slave territory of Florida to the Union, and even looking to Cuba as a possible accession—as to oppose the restriction on Missouri—as to wish to fight for the shadow of a claim to Texas, to the Rio Grande, as a portion of the Louisiana cession, and against the weighty judgment of Monroe¹ in favor of the treaty of 1819—as to draw the majority of his appointees from the South; and finally as to battle against the concession of the mutual right of search in suppressing the slave trade? Even before Mexican independence, Southern men had secured extensive grants of land

¹ When Jefferson was told that Monroe had appointed John Quincy Adams Secretary of State, he approved the union on the ground that Monroe had judgment enough for both, "and firmness enough to have *his* judgment control."—*Randall's Jefferson*, iii. p. 441.

in Texas. And these early grants were confirmed by successive acts of the Mexican government after its separation from Spain. In January, 1823, a national colonization law was passed, holding out strong inducements to all persons who should incline to undertake the settlement of uncultivated lands. From the first it was known and expected that these inducements would operate with greatest effect upon the citizens of the Southern States, whose agricultural pursuits naturally rendered the rich lands of Texas, so well suited to their accustomed occupation, objects of desire to them.

Clay was Adams' Secretary of State, and neither his conscience nor that of his principal was at all disturbed in the effort to get Texas, by the consideration that Spain had not acknowledged the separate sovereignty of Mexico. Lustily did the two members of the "coalition" pursue the golden butterfly. A whole series of boundary lines, of which the Rio Grande was the most westerly, was urged upon Mexico. In 1825, Adams offered, through Poinsett, a half million or one million dollars according to the boundary Mexico would take. Not a syllable was uttered to Spain during this time to conciliate that government to the cession. This rudeness was remarkable when the enormous extent of Mexico's claim on the continent is recollected. In the vast solitudes of the west government was in fact a mere name, and it is no wonder that Spain held out twenty years before she would recognize the title of Mexico to territory most of which scarcely ever saw the emblems of her authority.

Andrew Jackson took up the policy of his predecessor, and pursued it in his own peculiar style, but equally without effect. In 1835, Forsyth, his Secretary of State, made an offer of \$5,000,000 for the cession of Texas and for five degrees of territory south of our Louisiana line.¹ In the meantime Texas continued to develop

¹ Von Holst and other writers of that ilk represent the settlement of Texas as a well understood conspiracy to snatch that territory from Mexico. There is not a word of truth in it. Had they been treated properly, the Texans would never have thought of independence. But with what grace does Von Holst except Adams from that conspiracy? Jackson certainly wanted for his own glory to annex Texas, but to argue a purpose to augment the slave-power is as sensible as supposing that he hanged Ambrister and Arbuthnot for that purpose; or that his proclamation in 1833 against the nullifiers was to induce a Southern confederacy. It seems altogether proper that the ablest writer of the old Federal school should be a native

rapidly, a result much induced by the invitation which Mexico extended to immigrants. Mexico excepted Texas from the operation of her decree against slavery, and for her own purposes kept up the system of peonage,—a cruel system entailing no obligation upon the master to support the peon in his old age. In 1830, so strong a colony existed in Texas that Mexico became alarmed, and forbade, by law, the further importation of settlers from the United States. This severe edict, which cut off the settlers from their friends, and interfered with vested rights, aroused the Texans to a sense of their relations with Mexico. "It was not the entertainment," says Yoakum, the Texan historian, "to which they had been invited."

It became the great object of the Texans to obtain autonomy in government. Stephen F. Austin was dispatched to Mexico in 1833, to secure, if possible, the separation of Texas from Coahuila with which it had been provisionally united. The Mexican government regarded the movement as rebellious, and offered no remedy to the grievances of the people. In 1835, Santa Anna usurped the government of Mexico, reduced the sovereign States to departments, and dissolved the refractory Legislature of Texas and Coahuila at the point of the bayonet. Then the Texans flew to arms, Santa Anna invaded Texas, and the war of independence thus begun terminated on the field of San Jacinto in 1836. The following year the independence of Texas was recognized by the United States. Texas asked to be annexed, but the President, Mr. Van Buren, refused the splendid gift ostensibly because it would involve us in a war with Mexico. The independence of Texas was then a mere experiment, and as Van Buren had a right to see it tested as a fact by time, his refusal was reasonable enough.

But when Mr. Tyler became President, Texas had preserved its autonomy in defiance of Mexico for five years, during all of which

of the despotism of Germany. Von Holst denounces the violence of Southern men, when his own language at times would put to blush the most approved fire-eater, who is equally a denizen of all countries. A fair writer would say, on the whole, that Southern literature bears about the same comparison in this respect with Northern (*vide* Von Holst, Adams' Memoirs, etc., etc.) that the cool-headed Southern Presidents, Washington, Jefferson, Madison, Monroe, and Tyler do, with the hot-headed Adamases.

time there had been not a single serious invasion by Mexico of the soil of Texas. All her boasted threats of invasion had resulted in nothing more than fitting out and sending into the most exposed portions of Texas petty marauding parties for the purpose of pillaging and harassing the weak and isolated settlements on the western border. The massacres and cruelties of the Alamo and Goliad, and the policy of plundering and thieving by small bands of rancheros from the Rio Grande, bespoke the Mexican war with Texas. The wonder is, not that the United States should have annexed Texas, but that the whole world should not have interfered with arms, while cruelties were perpetrated that would have disgraced the warfare on the Scotch and English frontier in the age of Henry IV.

Wise records an interview with Mr. Tyler in the first weeks of his administration, in which the President referred to annexation as the all-important measure of his administration.¹

Notwithstanding the engrossing subject of the currency, and multitudinous difficulties pressing at the time, Mr. Tyler approached ✓ Mr. Webster on annexation, in his letter of October 11, 1841. "Could anything," he asked, "throw so bright a lustre around us? It seems to me the great interests of the North would be incalculably advanced by such an acquisition. How deeply interested is the shipping interest. *Slavery*, I know that is the objection, and it would be well founded, if it did not already exist among us; but my belief is, that a rigid enforcement of the laws against the slave-trade would in time make as many free States South as the acquisition of Texas would add of slave States, and then the future (distant it might be) would present wonderful results." A lover of his whole country spoke in these lines. Mr. Tyler looked as little to mere sectional interests in annexing Texas as Mr. Jefferson confessedly did when he annexed Louisiana, or as Monroe did when he acquired Florida. "Climate," he wrote in a later letter, "should be left to determine the question of slavery, as it would most assuredly. It had already abolished it as far as Delaware, and if left to work out its results would at no distant day produce similar effects on Delaware, Maryland and Virginia." How emphatically reasonable these views must have appeared to

¹ Seven Decades, p. 182.

the President the census shows to-day. The demand for cotton, increasing in immense proportions, was shifting every day the centre of the slave population further and further south. The price of cotton had risen rapidly from six to eight and ten cents per pound; and in the decade from 1830 to 1840, while the increase of slaves in all the old States amounted to only 86,392, in the new it was 391,920. To the North in the meantime was pouring a flood of immigrants, who constantly drifted into the country between the Blue Ridge and the Alleghany. Emancipation by natural means seemed a mere question of time with Virginia; and her example would have shaken to its foundation-stone the institution of slavery in the South. If the purest patriots, like Jefferson and Madison, could believe in the doctrine of a diffusion of slaves as the "open seshame" of emancipation, it was not impossible for an abolitionist to suppose that Mr. Tyler really believed that the addition of Texas, with its fine cotton-fields inviting slave-labor from the old States, would hasten the period of emancipation in Virginia.

With the true perception of a statesman, Mr. Tyler saw that the "golden moment" had arrived for perfecting the measure of annexation. Sam Houston, under whom, as President of Texas, the offer of annexation had been made to Mr. Van Buren, had been succeeded by Mirabeau B. Lamar, who thought that the pride and character of Texas demanded that she should no longer be a suitor on a nation which treated her with coldness and reserve. He went for the separate independence of his country; but in the three years that intervened, what with the indiscretion of the new administration, and the exhausting mode of warfare pursued by Mexico, the country was brought to the extremest point of depression,—her means exhausted, her credit utterly prostrated,—the frontiers of a thousand miles assailed by hostile Indians, and the trade and business of the country destroyed. By Mexico, Texas never could be conquered, but the danger grew every day more imminent that foreign powers would step in and secure the prize, to the perpetual loss of the United States. At this very moment Great Britain, whose national policy the President regarded as one of settled aggrandizement, was engaged in an iniquitous war upon China, to force upon her the opium trade.

The re-election of Sam Houston as president of Texas, in the

fall of 1841, made the policy of the Texan government heart and soul for annexation. Mr. Reilly's residence at Washington, as minister from Texas, began in March, 1842, and under instructions from Houston, he revived the proposition for annexation, which had been withdrawn in 1838. But at that time the United States were engaged in pressing their claims against Mexico, and it did not suit Congress or the claim owners to irritate the government of Mexico any more than was possible. "Although," says Reilly, "annexation was spoken of by the *few* warm and ardent friends of the measure, including the President, Hon. R. J. Walker, the lamented Upshur and Gilmer, Dr. Gwin, of Mississippi, and others useless to mention, yet at no time was it discussed as a probable event. All parties were satisfied that no treaty of annexation would be ratified by the Senate, and there was not even a majority in favor of the policy in the lower House."¹

Reilly returned to Texas in September of the same year, and was succeeded by Mr. Van Zandt, who renewed the proposition of annexation. But the Mexican claims were still on the carpet, and the spirit of Congress still continued adverse to the measure. This was the true cause of the rejection of the treaty of amity and commerce negotiated with Texas by Mr. Webster prior to the departure of Mr. Reilly,—a treaty in every way honorable and advantageous to both countries. The President declined the proposal anew; and Van Zandt now declared, under instructions dated February 10, 1843, that the rejection by the United States of the annexation proposition placed Texas in an attitude which would render it improper in her to take the first step towards a renewal of these propositions.²

The President, however, in the meantime had been pushing the interest of Texas as far as possible. The next best thing to annexation was the recognition by Mexico of the independence of Texas. That obtained, and all the prevailing objections to annexation would vanish. Hardly had Houston delivered his first mes-

¹ Niles, lxxiii., p. 147.—Mr. Tyler spoke freely to the Texan minister on the subject: "I am anxious for it," said he, "and wish most sincerely I could conclude it at once." "The President would act in a moment," wrote Reilly, "if the Senate would assent."—*Yoakum's Texas*, ii., p. 347.

² *Yoakum's Texas*, ii., p. 407.

sage after the inauguration when news arrived of the capture of the expedition sent out by his predecessor to Santa Fé. As many of them were traders and travellers, citizens of this country, Mr. Webster warmly interposed in the name of this government to secure their release. Special instructions were sent to Mr. Ellis, the American minister at Mexico, charging him to say to the Mexican authorities, that summary, sanguinary or undue punishment of the prisoners in their custody would be more apt to defeat the object of that punishment than if the offenders were to have a fair trial. Waddy Thompson was sent soon after to Mexico with full instructions on the subject. His efforts were eminently successful, and the prisoners released from a horrible imprisonment in Mexican dungeons, or from servile labor on the highways, guarded by Mexican convicts. But a new circumstance happened soon after, which enabled the government to press the question of independence still more emphatically. Mexico broke out into a rage over alleged violations of our neutrality, in our permitting the emigration of our people who joined the Texans against Mexico. Now, if there is one thing rather than another which characterizes the people of this country, it is their steadfast respect to the rights of other nations. When one compares our history with that of France, England, or Germany, a feeling of pride must fill the heart of every American. In the case of Texas the wonder is, not that there were occasional emigrations and subscription of funds, but that there was not an open and direct intervention by our people. And after all, the relations of our country with Mexico afforded no greater cause of complaint than the intervention of Maine and New York in the Canadian difficulties, from 1837 to 1842, afforded to England. The ludicrous part of the business was, that the greatest complaints against the government came from those very men who had proclaimed the "higher law" against slavery; as if the same law—the law of progress—would not have justified the usurpation of the whole continent by this government.

In April, 1842, Bocanegra, the Mexican minister of Foreign Affairs, directed a violent note to this government on the subject of our neutrality. Mexico at this time had no accredited minister here, and the letter was addressed directly to Mr. Webster, and delivered to him by an unaccredited person residing in New York.

The President and Webster consulted together,¹ and in a letter to Waddy Thompson, then in Mexico, Mr. Webster ably explained the light in which we were bound to regard Texas. Webster showed that, from the battle of San Jacinto, in April, 1836, to the present moment, Texas had exhibited the same external signs of independence as Mexico herself, had had quite as much stability of government; practically free and independent, acknowledged as a political sovereignty by the principal powers of the world, no hostile foot had found rest within her territory for six or seven years, and Mexico herself had refrained for all that period from any further attempt to re-establish her own authority over the territory. The battle of San Jacinto, in 1836, achieved Texan independence, and the war from that time was at an end. In 1837, the United States declared Texas independent, and now had to regard her as much of an independent sovereignty as Mexico. Mr. Webster urged that Mexico had been even more diligent than Texas in clandestinely obtaining contraband of war from the United States and other nations. Two vessels of war, purchased in the United States, and well understood to be employed against Texas, had left the United States with the whole or part of their armor on board. Mr. Webster brought Mexico into her own presence, to compare her with herself. How ridiculous her war against Texas, unsupported by anything but proclamations for six years, was aptly illustrated by the stubbornness of Spain in sulkily declining to acknowledge the independence of Mexico herself until after twenty years, during all of which time Mexico had opened her arms wide to multitudes from the United States, England, Ireland, France, and Italy, who flocked to fight her battles.²

¹ The President dropped the following note to Webster :

“DEAR SIR: I return the Mexican dispatch. It is an impudent paper, and deserves to be handled with severity. This is the first intimation of complaint, and yet how threatening. Yours, JOHN TYLER.”

² Mr. Tyler wrote to Webster as follows in approval of his letter :

[THE-PRESIDENT TO WEBSTER.]

“[*Private.*]

JULY 10.

“DEAR SIR: I send over your admirable letter with one or two suggestions, which you may either incorporate or not. These Mexicans mean mischief. Do summon a cabinet for nine o'clock this evening. Yours, J. TYLER.”

“General Thompson's dispatch was sent to the State department, addressed to the Secretary. Will it not be well to feel Lord Ashburton's pulse in this matter, so as if possible to ascertain whether Great Britain has anything to do with it?”

Bocanegra, moreover, did not wait to receive this answer, but on the 31st of May, 1842, dispatched a second communication, in which, not stopping with charges of a breach of neutrality, he ascribed to the President and cabinet itself, in the most offensive manner, "a conduct at variance with the most sacred principles of the law of nations, and the solemn compact of amity existing between the two nations." Such a missive met with the reception at Washington that was to be expected. Mr. Webster replied "that the President of the United States considered the language and tone of that letter derogatory to the character of the United States, and highly offensive, as it imputes to the government a direct breach of faith, and that he directed that no other answer be given to it than the declaration that the conduct of the government of the United States in regard to the war between Mexico and Texas having been always hitherto governed by a strict and impartial regard to its neutral obligations, will not be changed or altered in any respect, or in any degree."

This action of Mexico was too much in keeping with her conduct in the past, illustrated as it had been by strange freaks of revolting and useless cruelty, bravado and unnatural collisions at home and abroad.

The negotiations of Lord Ashburton progressed favorably, and Mexico finally awoke to the propriety of renewing regular diplomatic relations with us, and reciprocated the mission of Thompson by sending to the United States one of her most accomplished citizens, General N. Almonté. He arrived at his post in Washington in October, 1842.

In the meantime the Texans had been harassed with three small parties of Mexicans, whose incursions were marked with the usual atrocities. President Houston caused his Secretary of State to make an urgent appeal to the great powers to put a stop to this mode of warfare, and requested a joint offer of mediation between Texas and Mexico. France and the United States would have been willing to respond, but Great Britain had a different policy in contemplation more congenial to her own interests. She therefore thought it would be "better on all accounts that each party should act separately, but similarly in tone, in point of time and argument, in urging the Mexican government to reconsider the subject dispassionately and impartially, and to lose no time in

coming to an accommodation with Texas, on the basis of a recognition of the independence of the country." In this view the other powers acquiesced. Accordingly, in a dispatch dated January 31, 1843, Mr. Webster instructed the American minister at Mexico to remonstrate in strong but kind and friendly language with the Mexican government against the marauding mode of warfare carried on against Texas, in open violation of the rules recognized by all Christian and civilized States in modern times. The American Secretary further stated, that unless Mexico, in a short time, made peace with Texas, or showed a disposition and an ability to prosecute the war with a respectable force, the United States had it in contemplation to remonstrate in a still more forcible manner.¹

But the President did not rest with this. Knowing the influence of Great Britain with Mexico, to whose capitalists Mexico was in debt some £10,000,000, secured on lands in Senora, Chihuahua, California, and New Mexico, he sought by a tripartite treaty to secure the independence of Texas, as well as the cession of California to thirty-six degrees, on England's contributing a certain sum to the purchase, in return for the line of the Columbia as the boundary of Oregon. Monroe, in 1818, and Adams, in 1826, had offered the line of forty-nine degrees to England as the boundary mentioned, but England had strenuously insisted on coming down to the mouth of the Columbia. Even as early as the special mission of Lord Ashburton the question had been put, whether if Mexico would concede six degrees south of our boundary of forty-two degrees across the continent, so as to include the ports of San Francisco and Monterey, England would make any objections to it, and Lord Ashburton thought she would not.² Lord Ashburton had come over with "specific and detailed instructions"³ in respect to the north-western as well as the north-eastern boundary, and the non-arrangement of the Oregon question was due, under the circumstances of the case, to the "protracted discussion" which it necessitated, that might have proved fatal to the settlement of the other and more "pressing matters" embraced in the Treaty of Washington.⁴ The following notes to Webster bear upon the tripartite treaty alluded to above:

¹ Senate Documents, 1843-'4, Doc. [341] page 69.

² Adams' Memoirs, xi., page 347.

³ Senate Documents, 1845-'6, Doc. [2].

⁴ Tyler's Second Annual Message.

[TO DANIEL WEBSTER.]

DEAR SIR: Your letter to Mr. Everett¹ is in the right vein, as also that to Mr. Thompson.

The mere recognition of Texas would have the effect if we went into that matter of separating the question from California, and stirring up all the agitations which you anticipate, whereas introduced into the same treaty, the three interests would be united, and would satisfy all sections of the country. Texas might not stand alone, nor would the line proposed for Oregon. Texas would reconcile all to the line, while California would reconcile or pacify all to Oregon. I write in haste, but I hope I do understandingly. The matter, however, is to be thought of, and what will do best be adopted ultimately.

J. TYLER.

[TO DANIEL WEBSTER.]

[Private.]

DEAR SIR: . . . A single suggestion as to our conversation this morning. The assent of Mexico to such a treaty is all that is necessary as to all its parts. A surrender of her title is all that will be wanting. The rest will follow without an effort.

Yours,

J. TYLER.

What is contemplated is much more important than what has been done. The mission will be large and imposing.

J. T.

[TO DANIEL WEBSTER.]²

I send herewith the extract from Lord Aberdeen's letter. It is defective in not having set forth the terms of the message as is done in the original. It breaks in abruptly. The resolution of the House is also sent; and if you have anything else than the late dispatch please have it copied.

I regret that Thompson has communicated nothing as to California; but does that necessarily defeat the special mission? I want authority to send, should it be necessary, during the recess. We know not what may turn up. Opposition is to be expected, but that is nothing. Let them refuse!

Yours,

J. TYLER.

We must hold a strong language to England.

Extracts taken from the *North American*, for June, 1846, assert that Almonté, who at first had declined to receive the proposed suggestions, gradually gave way to the weight of argument and inducement which were presented. Finally, the President succeeded so far as to lay the subject before the committees on foreign relations of the two Houses.¹ Adams was chairman of

¹ The letter to Everett mentioned in the note was doubtless the one bearing date January 23, 1843, Curtis Webster, ii., 175, but?

² This note had reference directly to the call of the House, February 22, 1843, concerning the letter of Lord Aberdeen, on the Right of Search, read to Webster, February 24.

³ Niles, lxx., p. 267.

the House committee, and writes on the 25th of February, that Cushing had shown him the day before a confidential letter with enclosures to be communicated to him, urging as a wish of the President an appropriation for a special and extraordinary mission to Great Britain.¹ Of course Mr. Webster was the man intended for the place, since, as explained elsewhere, the nomination of Clay in Massachusetts had made his early retirement from the cabinet a matter equally necessary and proper. So far so good; but "the best laid schemes o' mice an' men gang aft agley." When Adams attempted to amend the civil and diplomatic appropriation bill of the House, by a clause making provision for the mission, the proposition was voted down in the committee by three yeas to six nays.²

The special mission having failed, one other expedient remained to effect the intended measure. England had just concluded her war with China, and by treaty four ports had been thrown open to English commerce. A breach had thus been made in Chinese exclusiveness. The President was not slow to avail himself of the opportunity. As early as the first of June, 1842, he was reported as having said that "he had his eye fixed on China, and would avail himself of any favorable opportunity to commence a negotiation with the Chinese empire."³ Events in those days thickened upon one another. Midway between California and China lay the Sandwich Islands, the stopping place of all our commerce in those seas. The King of the Islands had had great trouble with the French and English missionaries, and wanted to have his government recognized by the world. He had accordingly sent two agents to the United States, who arrived in this country about the meeting of Congress in December, 1842. The Chinese question was embraced in the answer of the government to their demand. In his special message of December 20, 1842, the President recommended an appropriation for maintaining a consul at the Sandwich Islands, argued their right to be recognized as an indepen-

¹ Adams' *Memoirs*, xi., p. 327.

² *Ibid.*, xi., p. 329. -On March 27, 1843, Adams wrote: "A very short further conversation with him (Webster.) He wishes another negotiation with Great Britain. But they keep Mr. Fox here only to make him pensionable. He has a private letter from Everett, and one from Lord Ashburton. They will take the line of the Columbia river, and let us stretch south at the expense of Mexico."--*Memoirs*, xi., p. 347.

³ *Ibid.*, xi., p. 167.

dent State, and against the right of any European power to colonize or take possession of them, and urged the propriety of a mission to the celestial empire.¹

So soon, therefore, as the special mission fell through the President and Webster seized upon the Chinese mission, and nominated Everett for the place. He was confirmed; and it was hoped that the vacancy in England caused by Everett's acceptance would be a substitute for the special mission.² Webster's letter to Everett of the 10th of March, 1843, is very full concerning the President's wishes. He dwells upon the President's anxiety to "signalize his administration by an adjustment of the remaining difficulties with England;" speaks of his vacating the State department as an event probable and impending, and while denying any personal desire to supersede him at London, clearly intimates the President's wish that he, Webster, should undertake the duties of that office.³ To Adams, Webster expressed himself as under great obligations for the former's promise to write to Everett to accept the mission.⁴

But this project fell through also. Everett wrote rather ungraciously, that the situation of his family rendered his acceptance of the place entirely out of the question. The denouement followed immediately. The *National Intelligencer* of the 9th of May announced that, on the preceding day, Daniel Webster resigned the office of Secretary of State, and that the charge of the department, *ad interim*, was taken by the Attorney-General, Legaré; and that on the same day Caleb Cushing was appointed minister plenipotentiary to China, in the place of Edward Everett, who declined.

The President and Webster parted with mutual regard. The time had come when it was necessary to have in the office of Secretary of State one who would go the full length of the Texas question. Certainly that man was not Webster, who, in his aversion to Texas, could say that "the port of San Francisco was

¹ [THE PRESIDENT TO MR. WEBSTER.]

DEAR SIR: If Congress makes a liberal appropriation, such as becomes the subject, I propose to send to China the Pennsylvania. If they make a small affair of it, any little cock-boat will do. Yours, J. TYLER.

² Adams' Memoirs, xi., p. 335.—In a note to Webster the President asks: "Why not send Everett to China?"

³ Curtis' Webster, ii., p. 178.

⁴ Adams' Memoirs, xi., p. 337.

twenty times as valuable to us as all Texas,"¹ extending north to the forty-second parallel, commanding the Mexican Gulf, and embracing the richest of countries. The President had been anxious to so situate Webster as to make him in politics a neutral, and to retain in the public employ so able and agreeable an officer. On the other hand, Webster's own political environment made his separation from the President necessary to himself. Benton says that Webster was frozen off by Mr. Tyler's calling for his advice as little as possible. Others quite as foolish as Benton have made his resignation a text to inveigh against the President on the score of ingratitude. How little ground there existed for these charges the past and present chapters of this work have shown.

It is due to the President and Webster to say that their mutual relations in the government were of the warmest and kindest nature possible.² Mr. Tyler often remarked, that of all the gentlemen that filled his cabinet at different times, not one was more agreeable than Mr. Webster. No confidence was lost between them at parting with one another. The suggestions of Webster, in and out of office, were always treated with great respect by the President; and despite the political differences that arrayed them on opposing sides, their friendship continued, until Mr. Webster's death, wholly unimpaired. When, in 1846, Mr. Webster became involved in charges respecting the secret service fund, Mr. Tyler voluntarily came from his retirement to vindicate his old friend before the committees of Congress appointed to investigate the charges.³

¹ Webster's Corresp., ii., p. 204.

² The *Madisonian*, as early as the 11th of March, 1843, said: "Mr. Webster has expressed a wish, because of certain considerations well understood between the President and himself, and which did not in the least affect their public and private relations, to retire from the cabinet. The President has been pleased to grant him permission to retire. This fact was publicly stated in the Senate, and it was declared by a senator, authorized to do so, that Mr. Webster *would* retire in thirty days after Mr. Cushing's confirmation."

³ The following notes are worth preserving, as showing Mr. Tyler's characteristic kindness of heart:

[TO DANIEL WEBSTER]

July 27.

DEAR SIR: Some sympathy is felt on the frontier for the Americans who are in confinement. What say you to urging their release more as a boon than a right? This will do much. The Richmond *Enquirer* comes out in favor of the treaty as far as known.

J. TYLER.

The first chapter in the annexation of Texas ends at this point. But before we proceed to the next, I shall notice one more event happening during Mr. Webster's stay in the State department—the occasion of considerable interest at the time. Mr. Tyler's policy in the government was Jeffersonian, but his ideas of what our navy should be differed essentially from the second Virginia President's, who limited it to a defensive basis. The war of 1812 taught him to appreciate that arm of our service, and in his address to his constituents in 1817 Mr. Tyler maintained that "the regular and gradual increase of the navy" should be always the guiding star of our policy. Upshur, who during the first two years of his administration filled the navy department, concurred with him cordially in the same view, and his reports show the activity with which improvements of every kind were pressed. Steam vessels were built, and the navy employed in squadrons to patrol the most distant seas, while a special squadron was kept upon our own coast, called the "Home Squadron," for the protection of commerce and the accurate ascertainment of the topography of the various bays and inlets.

The squadron destined for the Pacific was under the command of Thomas Ap. Catesby Jones. His letters of instruction, which

[THOMAS L. CRITTENDEN TO HON. T. F. MARSHALL.]

FRANKFORT, *February 8, 1843.*

DEAR SIR: I have just enclosed to my father a letter from Texas, containing news of my brother George's capture by the Mexicans. I am confident, if anything can be done in his behalf at Washington, it is only necessary that you should be apprised of the facts, and your influence will be exerted.

In haste, your friend,

THOMAS L. CRITTENDEN.

[TO DANIEL WEBSTER.]

February 13, 1843.

MY DEAR SIR: It is proposed to me that I should address a letter directly to Santa Anna in favor of young Crittenden, the son of Senator Crittenden. What think you of it? My disposition would lead me at once to do it, for I would seek no sweeter revenge over my enemies than to render them favors. But we must not forget what is due to the country. If this case be selected out of all others, will it not produce heart-burnings and discontent? Will it not moreover aid in establishing the fact charged on the government, that we countenance our citizens in making war on Mexico? Do turn this in your mind, and let me have your views to-morrow.

Yours truly,

J. TYLER.

The interposition of the government was made through Mr. Curson, the bearer of dispatches, and Crittenden was released, and arrived in New Orleans in May, 1843.

directed him to explore the coast, within the Gulf of California, and as high as the port of San Francisco, were given out of regard to the protection necessary to the American inhabitants in a country which owned a nominal allegiance to Mexico. And yet it cannot be questioned that the sagacious policy of the administration had also in view the negotiations for the acquisition of that territory, and the secret intrigues of Great Britain, the comments of whose papers and the evident policy of whose government looked to this country.¹ There was no warrant to Jones to take any hostile steps in either his written or verbal instructions from the navy department.

The bluster of Mexico, however, on the subject of our neutrality had its natural effect. In the correspondence already noticed she had in fact made a declaration of war. Miles away from his government, thrown much upon his own responsibility, out of communication with his superiors, Jones had to consult in a measure his own discretion.

Jones was cruising, in the month of October, 1842, on the coast of South America, when a copy of the belligerent protest of the Mexican minister of Foreign Affairs against our imputed breaches of neutrality fell into his hands. About the same time a Boston paper was received by him announcing that California had been secretly ceded to Great Britain. This, taken in connection with the departure of the English rear-admiral, Richard Thomas, with his squadron from the harbor of Callao with sealed instructions recently arrived from England, confirmed Jones in the belief that the United States and Mexico were actually at war with one another. Forthwith Jones sailed with his frigate, *United States*, and the sloop-of-war, *Cyane*, to Monterey, on the coast of California, believing that there he would find an advantageous position on the coast to plant the stars and stripes. On the 19th of October, 1842, Jones arrived before Monterey, disposed his vessels in front, and, sending an officer on shore, demanded the surrender of the town. The Mexican commandant submitted without delay, and the flag of the United States replaced that of Mexico over all the public edifices; the fortifications were garrisoned by American soldiers, and the Commodore issued a proclamation to the Californians, inviting them to submit to the government of the Federal

¹ See Caleb Cushing's letter, Niles, lxi., page 147.

Republic. But alas ! for the glory of Commodore Jones, what would have redounded to his honor and made him a hero, and possibly a candidate for the presidency in case of actual war, only enured to his mortification and discomfiture, since no war really existed. For scarcely was his proclamation sent forth ere advices reached him which convinced him that he had been in error, and that peace between his country and Mexico remained unbroken ; he had, therefore, only to restore the place to its former possessors, and retire with all his forces to his ships, which was done on the 21st of the month, twenty-four hours after the surrender.

Mexico had suffered a wrong, and its demand for satisfaction was met by an apologetic note from Washington, expressing deep regret at what had occurred. The act of Jones was pronounced unauthorized ; he himself was recalled and an offer made to the Mexican government to make any and every indemnity for loss.¹

Notwithstanding the entire innocence of the government in this affair, Von Holst, in his Constitutional History, adopts the stale charges of what was known as the " British party," and constitutes them an important link in the great chain of argument, which he painfully welds to prove the slavocratic designs of President Tyler and Daniel Webster. What possible benefit could accrue to the South from the acquisition of California above thirty-six degrees ? The extension of the line of thirty-six degrees thirty minutes would certainly have reduced it to a minimum. Of the same character

¹ This offer it seems did not content the Mexican ambassador. He demanded the present punishment of the officer. The President wrote to his Secretary of State :

[To DANIEL WEBSTER.]

DEAR SIR: It seems to me that General Almonté goes too far when he asks for punishment. We disavow the act and recall the officer. This would seem to be enough to content the most scrupulous. The rest should be left between the officer and his government.

Yours,

J. TYLER.

[To DANIEL WEBSTER.]

February 9, 1843.

DEAR SIR: I concur with you in dislike of General Almonté's letter. If we disavow the act, and declare that the officer acted without orders, to call upon us to *punish* implies a doubt of our veracity. The national offense is atoned for by a disavowal. To demand more is stepping rather beyond the mark. Your suggestion as to the response to be given by sending the intended communication to Congress meets my approval.

Can you have your part of the documents ready to be sent in to-morrow ?

Yours truly,

J. TYLER.

is the great mare's nest that Von Holst finds in the appointment of Waddy Thompson as minister to Mexico, in 1842. This appointment was made out of deference to the previous choice of General Harrison and the wishes of Judge Tucker. Personally, it was not agreeable to President Tyler, who made the nomination, nor to Wise, who defended it in the House. Indeed, the President sought to be released from it, and Wise wrote to Tucker, January 8, 1842, asking the latter, in the President's name, to withdraw his request. His reason was, "that during the last winter Thompson had been a perfect man-shipper and time-server of Clay's." Thompson, indeed, afterwards supported Clay for the presidency, and opposed annexation.

Von Holst, in his account of annexation, details *ad nauseam* the wild imaginings of the northern fire-eaters. Everything is twisted and distorted by him and them in the worst possible degree. Upshur, in a letter dated November 5, 1842, commenting upon a letter of Adams to his constituents, speaks to the point:

As to his attack upon Tyler and the rest of us, I do not care a farthing for it; but he is determined if possible to get up a war against slavery, which must end either in the dissolution of the Union, or in a surrender of that institution. The old man has nothing of his former strength left but his passions. His whole letter is a tissue of malignant misrepresentations, *as he knows*; but he has so framed them expressly that they may do as much mischief as possible.

But Webster, who was in a position to know, had put to flight the vagaries of Adams, in a conversation held on the 25th of March, 1843.

To the remark of Adams, that he considered all the questions about the right of search, the bill for the occupation of the Oregon territory, Captain Jones' movement on California, and all the movements for the annexation of Texas, were part of one great system, looking to a war for conquest and plunder from Mexico, and a war with Great Britain, instancing Wise's speech of April last as proof of it, Webster answered that "he was wrong in all this; that Jones' movement on California was a freak of his own brain, without any authority or instruction whatever; that Wise's speech (*of which he had no knowledge*) was a vain and senseless bravado; that with regard to the annexation of Texas, his decided opinion against the measure had long been public; he had not changed it, and it never could be effected by him or with his consent."

CHAPTER X.

1843—1844.

"Mr. Webster has sent me his speech on the slavery question in pamphlet, with expressions of 'cordial friendship.' I have replied in a brief letter, putting him right on the subject of annexation. My view of that subject was not narrow, local, or bigoted. It embraced the whole country and all its interests"—JOHN TYLER, *in* 1850.

CABINET REORGANIZED.—EXHAUSTION OF TEXAS AND MEXICO IN DECEMBER, 1841.—BRITISH INTRIGUES.—OCCUPATION OF THE SANDWICH ISLANDS.—PROTEST OF UPSHUR.—DISCLAIMER BY THE BRITISH GOVERNMENT.—TRUCE BETWEEN TEXAS AND MEXICO BROUGHT ABOUT BY ENGLAND.—ABOLITION INTRIGUES.—TEXAS IN THE BRITISH PARLIAMENT.—UPSHUR OFFERS ANNEXATION.—COOLNESS OF HOUSTON.—HOUSTON'S MESSAGE IN DECEMBER, 1843.—MESSAGE OF PRESIDENT TYLER.—UPSHUR'S LETTER TO MURPHY.—PLEDGES OF THE SENATORS.—HOUSTON OFFERS TERMS OF ANNEXATION.—MURPHY TO THE PRESIDENT.—MEXICAN CLAIMS.—DEATHS OF UPSHUR AND GILMER.—HISTORY OF CALHOUN'S APPOINTMENT AS SECRETARY OF STATE.—THE TREATY SIGNED.

WE now come to a period when we shall notice the first active overtures towards the annexation of Texas. Hugh S. Legaré, the Secretary of State, *ad interim*, died in Boston, only a month after his appointment, whither he had gone to attend the celebration of the Bunker Hill monument. The cabinet was then reorganized in July as follows: Abel P. Upshur, of Virginia, Secretary of State; John C. Spencer, of New York, Secretary of the Treasury; James Madison Porter, of Pennsylvania, Secretary of War; David Henshaw, of Massachusetts, Secretary of the Navy; John Nelson, of Maryland, Attorney-General; Charles A. Wickliffe, Postmaster General.

Porter, Henshaw and Nelson, the new appointees, were Democrats, but revolted against the *loco-foco* clique of Benton and Van Buren.

Texas had now been an independent power for more than seven years,—a period as long as our revolutionary war. We had recognized her independence, and negotiated with her a treaty of boundaries in 1838, and a treaty of commerce in 1842. The

border contest that existed between her and Mexico was a reproach upon civilization, and not worthy of the name of war. Still this country, as much as its interests were affected, had continued a course of non-intervention during all this time, and twice repelled the offer of annexation. Rather than run the risk of interfering prematurely, Mr. Tyler had allowed the greater portion of his term to pass by without proposing directly to Texas a treaty of union. The tremendous intrigue that Benton and others represent as engaging a vast mass of persons to forward the measure, has not a shadow of truth to rest upon. Individual expression in favor of annexation found its way in the papers; but this had been the case as far back as 1819, and there was no organized co-operation now any more than there had been at any intervening period of our history on other subjects of importance,—least of all any organized union of men, as charged, composed of speculators and disunion advocates, guiding and controlling the President of the United States and the policy of this government. The conspiracy-hatchers have been wont to point to the following facts as proof of this wonderful intrigue. In his speech in Congress, on April 13, 1842, defending the appointment of Waddy Thompson, Wise, in pure defiance to those who proposed to strike out the mission, made a speech in favor of annexation, which threw the anti-slavery element into flames. In January, 1843, Mr. Gilmer addressed a letter to the public, reiterating views in favor of annexation, expressed by him as far back as the year 1837. This letter was sent under cover to General Jackson by A. V. Brown, of Tennessee, whose letter of reply, warmly endorsing the able arguments of Mr. Gilmer, was published in March, 1843. These and the appointment of Calhoun to succeed Upshur, constituted the visible form under which the *real* conspirators pretended as moving a more than satanic spirit.

The President, whose views on the subject were fixed, kept aloof from intrigues. What in fact did a plain Virginia farmer know about intrigues? This might do well enough for New York and New England politicians, but Virginians had from the first carried on a contest against them. There was a good deal of talk about annexation between him and the *few* unconditional friends of the measure in Congress, but this was all. It was a matter of principle with them, unswayed by any considerations of

temporary benefit, such as the Mexican claims produced in the mind of the average congressman. Until the resignation of Webster, Mr. Tyler had looked to annexation through the recognition by Mexico of the independence of Texas, which he hoped to induce by mediation and the tripartite treaty mentioned in the last chapter. The correspondence of Judge Upshur, as far as I have examined it, seems to give no indications that there was any stir in the cabinet at an earlier period than the summer of 1843, looking to a positive Texas movement. And the move that was taken then was adopted with the very purpose of avoiding making the question a party question, or arousing intrigues of Texas speculators or other persons.

Texas, in the early summer of 1843, was still at a low point of depression. President Houston, in his message in November of 1842, declared the country to be "without credit, without means, and millions of dollars in debt." The war she had encountered in the past was nothing; but the constant apprehensions to which the people were exposed was fatally exhausting. Business was kept depressed and immigration checked. Mexico, on the other hand, was worse off than Texas. Yucatan was also up in arms; while revolution, anarchy and debt oppressed all her energies. The true danger was lest, through their mutual prostration, both countries might fall prey to some ambitious foreign power. Even as early as 1835, Webster had declared in the Senate that he had no doubt that attempts would be made by some European government to obtain a cession of Texas from the government of Mexico. Mr. Van Zandt, in February, 1843, had withdrawn his proposition of annexation with the declaration, as the President understood him, that it would never be renewed. It was natural to fear, in case of a continuance of the war, that she would seek to make the best terms she could with France or England. If she negotiated a loan in England, some condition fatal to the independence of Texas might be demanded. A pledge not to annex herself to this country might be that condition. Thus Texas would be lost to us for ever. This prospect had induced Gilmer's Texas letter.

An event, which developed soon after Webster's resignation, seemed to point unequivocally to the rapid workings of British influence upon the destiny of Texas. We have noticed the stand taken by Mr. Tyler, as to the independence of the Sandwich Islands.

It was adopted just in time. The agents of the Sandwich Islands set sail for England in February, 1843, to secure the same result there as they had met with in this country. But before this could be done, Lord George Paulet, on the 25th of the same month, took possession of the islands in the name of his government. News of this unprovoked outrage, apparently finding its parallel in the opium war on China, reached Washington in May. The executive acted with its wonted firmness. Upshur, the then Secretary of State, formally protested against the usurpation in a communication addressed to the British government. And this was followed by a disclaimer from Mr. Fox. The act of Lord George Paulet was declared unauthorized, and the independence of the Sandwich Islands recognized by Great Britain. Unauthorized the act undoubtedly was; but the tone of the *London Times*, and the whole foreign policy of Great Britain, seemed to promise a ready ratification, had it not been for the attitude of the United States. Indeed, only a short time before France had led the way by a seizure of the Marquesas Islands.

[TO DANIEL WEBSTER.]

WASHINGTON, July 8, 1843.

MY DEAR SIR: Your letter of the 3rd July reached me last night, and I delay not to say that the moment I learned your objections to Mr. M——, I abandoned all idea of appointing him chief clerk to the State department. In fact, I had been wholly ignorant, at the time I thought of making the appointment, of his course toward you. While, therefore, I may give him some other office, I shall certainly not place him in a position which would imply, on my part, any disinclination to comply with your wishes or consult your feelings.

In furnishing you this explanation, my dear sir, I give you only an additional proof of my sincere regard for you. In fact, no one can possess that feeling toward you in a higher degree. It is for yourself alone.

You will perceive in the newspapers the disclaimer of the British government as to the Sandwich Islands. It has been highly gratifying; but, inasmuch as there seemed to be an unnecessary assertion of right to enforce its claims for indemnity for wrongs committed on British subjects, in Mr. Fox's letter, it was considered proper, in the reply of Judge Upshur, to guard against any ambiguous or hidden intent.

I have nothing from England which gives us the hope that anything will be done by that government on the subject of a commercial treaty. Do you get anything on that subject? Will you permit me, in conclusion, to say, that there is no wish, personal to yourself, which you may entertain, that I shall not be ready most promptly to meet; and any suggestion you may have

to make touching our course of public policy will be weighed with the greatest attention.

Be pleased to present me most respectfully to Mrs. Webster; and be assured of my constant regard.

JOHN TYLER.

But there was a second circumstance to be mentioned. The suggestion of a triple mediation having been declined by Great Britain, she exerted herself in secret to bring about a truce between Texas and Mexico, apart from the United States. How far that nation was actuated by disinterested motives, a recurrence to the past was sufficient to show. In November, 1839, the Texans had been told by Lord Palmerston that "Her Majesty's government would be justifiable in sending a ship of war to Texas," to demand the payment of certain claims against the republic. And in November, 1840, Great Britain offered her mediation between the belligerent States for the consideration that, if successful, Texas "would take upon herself a portion, amounting to one million pounds sterling, of the capital of the foreign debt contracted by Mexico, prior to the first day of February, 1835." She would have nothing to do with the United States in 1842 in respect to the triple mediation proposed. And there was enough in the wish to prevent the United States from acquiring further territory and influence upon the Gulf of Mexico to account now for all her humanitarian efforts in behalf of Texas.

The British government, viewing the opportunity as a favorable one, now exerted the most potent persuasions on Santa Anna, the President of Mexico, to listen to a truce. The result proved what they might long ago have effected if they had acted in a *bona fide* spirit. In May, 1843, the British *chargé* in Mexico brought the subject to the attention of Santa Anna. The proposition was favorably received by the Mexican president, and the British *chargé* authorized to apprise President Houston, of Texas, of the fact. This he did through a dispatch, conveyed by the British sloop *Scylla*, and addressed to Captain Elliott, the British *chargé* in Texas. On the 15th of June, 1843, Houston proclaimed his acceptance of the armistice, to continue pending negotiations for peace. The British sloop then carried back to Mexico the armistice and the proclamation of President Houston.¹ Later, however, in

¹ Van Zandt and Henderson to Calhoun, Senate Documents, 1843-'44, Doc. 341.
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July, 1843, Captain Elliot sent another dispatch to the Texan government, transmitting information derived from the British *chargé d'affaires* in Mexico, that Santa Anna did not concur in the duration of the truce allowed for negotiations, and proposed that the terms of the armistice should be determined by commissioners appointed by the military authorities for the purpose. Accordingly, in September commissioners were appointed on the part of the Texan government to meet those of General Woll, the Mexican commander, at Sabinas, near the Rio Grande, in Mexico.

But still another intimation came to startle the President into action. The abolition societies in England and America had never ceased for a moment their agitation against slavery. Lost in the elaboration of their favorite idea, they had in fact become true fanatics. Slavery became with them the worst of all evils. Like the Christians of old, when they desolated in the Crusades the far distant homes of the heathenish Saracens, they could make no terms with the accursed thing. Their programme in America was set forth in two resolutions, adopted at a meeting of the American Anti-Slavery Society in May, 1844:¹

“*Resolved*, That the abolitionists make it one of the primary objects of their agitation to dissolve the American Union.

“*Resolved*, That secession from the present United States government is the duty of every abolitionist, since no one can take office or deposit a vote under its Constitution without violating his anti-slavery principles and rendering himself an abettor of the slave-holder in his sin.”

Government, allegiance, the laws,—all were made subordinate in these resolutions to the destruction of slavery. Secession and the dissolution of the American Union were formally avowed as the primary objects of abolition agitation. Nor did this mean a secession merely of a State from the Union, in which government would still be the “higher law” on earth, but a new law was proclaimed which made a secession factor of every individual and logically eventuated in anarchy. Abolition effected by the destruction of every other good principle in society could never be justified; and yet such was the abolition creed. No wonder, therefore, that men like Webster and Everett refused to go along with them. Robespierre, who dethroned God to establish reason, may have acted sincerely, but his name will never smell sweet in

¹ Niles, lxvi., p. 192.

the nostrils of freemen. So with John Brown, who murdered several unoffending citizens at Harper's Ferry, and committed treason against the State of Virginia. On earth there can be nothing higher than one's country, and expatriation is the alternative left to the over-tender conscience.

The annexation of Texas had been the accepted policy of the government since 1825; it was necessary to our full development. "The future will present wonderful results," said Mr. Tyler, and so it has; and yet that future is not one-tenth revealed. The abolitionists, in 1843, made themselves the cat's-paw of Great Britain to our injury; and every American is now thankful that they were defeated in their designs. The particulars were as follows: Texas had incorporated slavery as a provision in her Constitution. The abolitionists had declared war against slavery throughout the world. In the summer of 1843, a chance to carry out their doctrine seemed auspicious in the prostration of Texas. Their purpose was good, but the plan pursued was wrong. A man named Andrews had been for some time working up the scheme. He was a native of Massachusetts, but in 1843 an inhabitant of Texas. In April of that year, Andrews excited much attention in Texas by publishing communications disclosing the existence of a plot to invoke the interference of Great Britain in securing the independence of Texas, on condition that Texas would emancipate her slaves. At Galveston, Andrews attempted to make a speech, but a company of some twenty persons had gone to him at his lodgings, taken him by force and landed him at Virginia Point, on the opposite bank of the river. The crowd, however, did not represent the feelings of the people, and Andrews had afterwards returned to Galveston, openly avowing his abolition opinions, without meeting any ill-treatment or opposition. In May Andrews visited Washington, and talked with Mr. Adams on the eve of embarking for England with a view to obtain the aid of the British government. Adams wished him God speed, and urged him to push "the direct, formal, open and avowed interference of Great Britain."¹

In England Andrews attended "the second triennial meeting of the World's Convention for the promotion of the abolition of slavery and the slave-trade throughout the earth." There the

¹ Adams' Memoirs, xi., p. 380.

design made such headway as to lead to an informal interview between the convention and Lord Aberdeen, who assured them "that he would, by every proper means of influence, encourage the abolition of slavery in Texas," and that "he had recommended the Mexican government to interest herself in the matter."

On the 18th of August following, Lord Brougham, on the floor of Parliament, had catechised Lord Aberdeen on the score of Texas. He pictured in eloquent strains the great advantage of Texas. Its soil was declared to be of "the finest and most fertile nature," its produce of "tropical character," and its climate one of the "most healthy" in the world. "The importance of Texas," said Lord Brougham, "could not be underrated." "He was irresistibly anxious for the abolition of slavery in Texas; for if it were abolished there the consequence would be its abolition in the United States also." Lord Aberdeen replied to Lord Brougham, that he was glad to say that "probably the first step towards the recognition of the independence of Texas by Mexico had been obtained by the armistice which the government had established between the parties," and he hoped that "this would lead to the absolute acknowledgment of the independence of Texas by Mexico."

"The armistice was an important step to obtain, and he need hardly say that every effort on the part of Her Majesty's government would lead to that result which was contemplated by his friend. He was sure that he need hardly say that no one was more anxious than himself to see the abolition of slavery in Texas; and if he could not consent to produce papers or to give further information, it did not arise from indifference, but from quite a contrary reason. In the present state of negotiations between the two countries in question, it would not contribute to the end they had in view, if he then expressed any opinion as to the state of those negotiations; but he could assure his noble friend that, by means of urging the negotiations, as well as by every other means in their power, Her Majesty's ministers would press this matter."¹

It was in the month of August that the President received the first news of the efforts of Andrews in England, through a letter of Gen. Duff Green, who was then in that country. Upshur wrote immediately to Gen. W. S. Murphy, our representative in Texas, who, in his letter of reply, made light of Andrews and his schemes, but dwelt upon the armistice then progressing between Texas and Mexico, as demanding the most prompt and energetic attention on the part of the government of the United States.²

¹ Senate Documents, 1843-44, Doc. 341, p. 27.

² *Ibid.*, p. 23.

But be that as it may, it was enough for the President to know that the eyes of Great Britain and associated individuals were strained in direction of Texas. "That the importance of Texas could not be underrated" consorted precisely with the omnivorous appetite of England for territory and power; but that the prime object was the abolition of slavery in Texas, and this not so much for itself as for the chimerical object of affecting slavery in the United States, as avowed by Lord Brougham, was not so certain. "I distrust the designs of Great Britain altogether," wrote Adams, "I believe their real policy far from desiring the abolition of slavery, either in our Southern States or in Texas. I suspect, on the contrary, that for a suitable equivalent they will readily acquiesce both in the annexation of Texas and to the perpetuation of slavery here to weaken and to rule us."¹ But this, as usual with Adams, was too severe a judgment. The ministry of Great Britain had emancipation undoubtedly at heart,—only the serious question was whether they would not take good care to promote their own advantage while they pressed the claims of progressive humanity. And if the two principles clashed, the latter certainly would not be allowed to interfere with the former.

After-developments fully justified the President's belief at this time, that unless the United States promptly interfered, Texas would be lost forever. It mattered very little to this country what the particular designs afloat were, provided Texas fell under the influence of Great Britain. If the projected scheme of emancipation in Texas was to prevent the consideration of every inducement to annex Texas, what a farce it was that Washington, a slave-holder, should ever have been president, or that the government should tolerate a single representative at Washington from the Southern States. Certainly, as president, Mr. Tyler could not think it his duty to dissolve the Union, or do any other thing than promote its advancement and glory. And what, in every material aspect to all parts of the Union, from Maine to Louisiana, could redound to our interests more than the acquisition of a vast domain contiguous to our territory, settled by men descended from the same ancestors as ourselves, and embracing every variety of soil and climate? And after all, would the Texan people ever submit to the intervention of a foreign power in their domestic

¹ Adams' Memoirs, xi., p. 374.

concerns, however much they might make other and more general concessions in the way of commerce equally fatal to annexation?

To scatter to the winds the intrigues, wheresoever and by whomsoever woven, whether by Mexican, Texan, Englishman, Frenchman, bondholder, or abolitionist who made the "primary object of his agitation the dissolution of the American Union," he at once authorized Upshur to offer annexation to Mr. Van Zandt, the Texan minister at Washington.

Upshur joyfully proceeded to his task. Every wise expedient was adopted to prevent the premature publication of the step now taken. "I advised with no one, consulted with no one, save Upshur, in taking the initiative," wrote the President. Upshur was laid under injunctions of profound secrecy, arising from the apprehensions of a formal protest from Great Britain and France. It was above all necessary for the success of the scheme that the question should not become a *party* one. Before the formal offer, therefore, Upshur set to work to ascertain the views of the various senators on the subject. Nothing was said of any immediate proposition, but the enquiry was made, whether, in event of a treaty, the same would receive the approbation of the Senate?¹ In these enquiries Upshur did not go beyond the Senate, since the question, like the Ashburton treaty, was not to be a party question. He felt that the first note which would rally party on the issue would defeat what he had most to heart.²

At length, the preliminaries having been sufficiently advanced, Upshur, on the 16th of October, 1843, formally notified Mr. Van Zandt that "he should be prepared to make a proposition" to treat for annexation "whenever he should be prepared with proper powers to meet him." But Texas had withdrawn her offer of

¹ On the 18th of September, 1843, Van Zandt, the Texan *chargé d'affaires* at Washington, wrote to Anson Jones, Texan Secretary of State, that "Mr. Secretary Upshur brought up the subject in all his official interviews, stating that it was the great measure of the administration; and that he was actively engaged, under the instructions of President Tyler, in preparing the minds of the people for it, and in learning the views of the senators on the subject."—*Yookum's Texas*, vol. ii., pp. 422-3.

² A correspondent of the *Madisonian* wrote as follows:

.... "Judge Upshur was very justly apprehensive that if it (annexation) should assume a party aspect, the zeal of editors of the respective parties would hurry them into that course which they might deem best subservient to the success of their party, forgetful, in their ardor for this, of the permanent interest of the

annexation, and Mr. Van Zandt had to ask the advice of his government.

Then it was seen how fearfully far the cold wind from the United States had blown Houston, the President of Texas, on the way to England. This remarkable man had led the revolution in Texas, and was the warm personal friend of General Jackson. Long the friend of annexation, it had doubtless become a sweeter thought with him to be the first man in Texas than to be one among many great men in the United States. To the approaches of the United States he now turned a cold and reluctant shoulder. Our agent in Texas, Gen. W. S. Murphy, noticed with surprise the vague propositions of peace passing through the channel of the British ministers. He rightly inferred that Houston was no longer an annexationist, but had changed his policy for the separate independence of Texas. All this looked bad. Upshur urged Murphy to ply Houston with every argument to induce a speedy reply.

The eighth Texan Congress assembled at Washington on the 4th of December, 1843. The message of President Houston did not appear until the 12th. In that paper he referred with pleasure to the change that had ensued under the suspension of arms; the prosperous condition of the Republic; her growing commerce; and the good results of the pacific policy pursued toward the Indian tribes, with all of whom, except two, treaties had been made. He referred also to the pending negotiations for an armistice with Mexico, and stated that the two persons appointed by Texas had

Union. To avoid this danger the Secretary of State was desirous of keeping the progress of the treaty from the knowledge of party hacks. He considered the first blast that called party to rally for or against the measure its death knell. To remove apprehensions of this sort, and to secure for it in the Senate that candid and catholic reception to which it was entitled, and to quiet the watchful jealousy of party spirit, the Secretary communicated very fully and freely his purposes and his wishes in regard to this great measure. These communications were made to senators alike the ardent personal friends of Mr. Van Buren, and to the enthusiastic admirers of Mr. Clay themselves. . . . As it was an administrative measure, the friends of Mr. Van Buren and Mr. Clay were regardless of, and did not seek the opinions of these gentlemen. . . . It is very apparent that a vast majority of those persons who oppose present action in this measure, do so from no hostility to the measure itself, but from an apprehension of its effects upon the present organization of parties . . . In the foregoing I have given you only such information as you may rely upon as authentic."— *William Penn in Madisonian, April 25, 1844.*

set out on their mission. For the kind offices of the three great powers toward bringing about these negotiations he offered the thanks of the country. The efforts of the British government were particularly named as flowing from a sincere and "disinterested" (!) desire to bring about a result honorable to the Republic. Nothing was said, however, about annexation. But the message of the Texan chief-magistrate was soon forgotten in the excitement produced by that of John Tyler, President of the United States, delivered to the Federal Congress on the 5th of December, 1843. Like Houston's paper, it said nothing about annexation, but there was a significant passage in it concerning Texas. Mexico, in anticipation of a discussion which it had been pleased to infer from John Quincy Adams' address to the Free States in March, 1843, as likely to take place in Congress regarding the annexation of Texas to the United States, had, during the month of August, offensively announced its determination to visit any such anticipated discussion by a formal declaration of war against the United States. Nothing was better calculated to show the folly of Mexican counsels than this great threat. A nation which now for eight years had carried on no more than border skirmishes with a weak country like Texas, made haste to insult a people capable of literally eating her up in a single campaign. It was time that Mexico should hear the truth. A war conducted on the principles of the massacre at Alamo, and with no real power but brutality to back it, should cease at last. The law of nations, which is the law of humanity, was superior to the will of Mexico. The President said:

I cannot but think that it becomes the United States, as the oldest of the American republics, to hold a language to Mexico upon this subject of an unambiguous character. It is time that this war had ceased. There must be a limit to all wars; and if the parent state, after an eight years' struggle, has failed to reduce to submission a portion of its subjects standing out in revolt against it, and who have not only proclaimed themselves to be independent, but have been recognized as such by other powers, she ought not to expect that other nations will quietly look, to their obvious injury, upon a protraction of hostilities. These United States threw off their colonial dependence, and established independent governments; and Great Britain, after having wasted her energies in the attempt to subdue them for a less period than Mexico has attempted to subjugate Texas, had the wisdom and justice to acknowledge their independence; thereby recognizing the obligation which rested on her as one of the family of nations. An example

thus set by one of the proudest as well as most powerful nations of the earth, it could in no way disparage Mexico to imitate. While, therefore, the executive would deplore any collision with Mexico, or any disturbance of the friendly relations which exist between the two countries, it cannot permit that government to control its policy, whatever it may be, toward Texas, but will treat her—as, by the recognition of her independence, the United States have long since declared they would do—as entirely independent of Mexico. The high obligations of public duty may enforce from the constituted authorities of the United States a policy which the course persevered in by Mexico will have mainly contributed to produce; and the executive, in such a contingency, will, with confidence, throw itself upon the patriotism of the people to sustain the government in its course of action.

Among other reasons given why the American Union could not be indifferent to the relations of Mexico and Texas, the President affirmed that “a warfare, such as was waged between those two nations, was calculated to weaken both powers, and finally to render them—and especially the weaker of the two—the subjects of interference on the part of stronger and more powerful nations, which, intent only on advancing their own peculiar views, may sooner or later attempt to bring about a compliance with terms, as the condition of their interposition, alike derogatory to the nation granting them, and detrimental to the interests of the United States.” This was sound philosophy, and strongly hinted annexation.

Houston still suspended action on the proposition of President Tyler. The public mind in both countries was on tip-toe, yet no one knew that a proposition of annexation was actually pending but the limited number permitted into the secret. No blame could attach to Houston at this juncture for proceeding with circumspection. Should Texas enter into negotiations, and the treaty fail in the Senate, she would lose the friendship of Great Britain and France, exasperate Mexico, and what was worse than all, compromise her own dignity and self-respect; the negotiations pending for an armistice would be broken up, and the horrors of war again let loose upon the country. History justifies him on this point, although he stood almost alone among his own people, and was freely charged by them with being the purchased tool of Great Britain. What made Houston's course inexcusable was his attempt to represent an undoubted opposition to annexation as a real zeal for it.

Fortunately, however, for annexation, Houston found, in the

circumstances that surrounded him, a rigid attitude on the question impossible. In the beginning of October, and while the commissioners of Texas and Mexico were beginning their labors at Sabinas to arrange the terms of the armistice, some difficulties, having their origin in Mexican vanity, came to break off temporarily diplomatic relations between Mexico and Great Britain.¹ This necessarily cut off the channel of communication between Texas and Mexico. Added to this was the continual bad news received from the negotiators at Sabinas. Murphy wrote to Upshur, January 15, 1844, that "All the tidings we have, direct and indirect, for the last month, from these commissioners, concur in the fact that the object of the commission has wholly failed; that the commissioners will accomplish nothing, and that Texas will be invaded, most probably, by sea and land, in February or March next. The certainty of this invasion, I am persuaded, cannot reasonably be doubted, though it may not occur before the month of April or May."²

In addition to this, the Texan people were unanimously for annexation. On the 18th of December, 1843, the Texan Senate, learning that Houston had dispatched a special messenger to the United States charged with important matters, passed a resolution requesting Houston to recall the said messenger "until the matters to be communicated through him shall have been made known to this Congress, and such action shall be had thereon as shall be deemed advisable." The President refused compliance with this resolution. On the 22d of December the representative branch made another call; this also he declined. Unable to get anything from their President, they applied to the American consul, General Murphy, for copies of the correspondence; but this request Murphy, of course, flatly refused to accede to.

Houston bent before the tide. The President informed the

¹ It appears that, at an anniversary ball given by Santa Anna, at which the different foreign ministers were in attendance, there was a display of flags taken in battle; among them was a British standard, taken from an English sailor at the battle of Mier. Mr. Doyle, the British minister, requested that it might be removed, and was assured that it should be done the next day. Time passed on, until the 27th of September, when another ball was given. Mr. Doyle, on attending, saw the English Union Jack still hanging in the *salon de reception*. After some strong diplomatic notes, Mr. Doyle suspended his functions.

² Unpublished letter of Murphy.

Texan House of Representatives, in reply to its call, that although it would not be proper to publish the correspondence, yet the speaker and committees on Foreign Affairs, by calling at the State department, could read it for themselves.

Upshur, in the meantime, was busy at work removing the last pretext of Houston against annexation. Congress had now assembled, and he got Gilmer, who, like Upshur himself, stood on the best footing of friendship with Whigs and Democrats, to complete the work of sounding the Senate on the propriety of instituting at this session negotiations for annexing Texas. The result of Gilmer's labors was thus embodied in a dispatch of Upshur to Murphy, dated January 16, 1844:

[MR. UPSHUR TO MR. MURPHY.]

DEPARTMENT OF STATE, WASHINGTON, *January 16, 1844.*

SIR: Your dispatches by Mr. Abell are received. You are probably not aware that a proposition has been made to the Texan government for the annexation of that country to the United States. This I learn from the Texan *charge* has been for the present declined.

I am not disappointed at this intelligence. No doubt can be entertained of the wishes of the *people* of Texas in regard to the annexation of that country to the United States. I have the most unequivocal proofs in a variety of forms that they are almost unanimous in favor of that measure. That the government, at least in the executive branch of it, should entertain different views, may be very easily attributed to a misconception of the real position of the question, so far as this government is concerned. Texas, for some time past, has been in a condition to need the aid and protection of some stronger power. She ought not to have doubted that the sympathies of this country were altogether with her; but the want of power in the government has prevented it from doing anything effectual in her favor. She has been forced, therefore, by a sort of necessity, to look to other quarters for that aid which hitherto she has failed to receive from us. Hence she has listened the more readily to the overtures of England, and is probably in some degree committed to this government. If this be so, it is not surprising that her government should hesitate, in the present state of its information, to make any further movement towards the annexation of that country to the United States. If it were *certain*, or even strongly probable, that the measure could be carried in our Congress, I cannot doubt that it would be gladly acceded to by the government of Texas. But so long as the success of that measure is very doubtful, in the opinion of that government, it is quite natural that they should be disinclined to hazard the friendship of other powers, and particularly of England, by an appeal to the United States, which might not be successful.

I have little doubt that these are the views of the Texan government. I have for some months past anticipated that they would be so, but I have not

until very recently felt authorized to give such assurances as I can now give, calculated to influence the policy of Texas, upon this point. . . . Surely if the government of Texas could believe that there is even a reasonable prospect of the annexation of that country to the United States, it would not hesitate to authorize the trial. On this point, I cannot of course speak with absolute certainty; but I feel a degree of confidence in regard to it which is little short of absolute certainty. The more the subject is discussed among our statesmen, the more clearly does it appear that the interests of both countries absolutely require that they should be united. When the measure was first suggested, although the entire South was in favor of it, as they still are, it found few friends among the statesmen of the other States. *Now* the North to a greater extent are not only favorable to, but anxious for it, and every day increases the popularity of the measure among those who originally opposed it. Measures have been taken to ascertain the opinions and views of senators upon the subject, and *it is found that a clear constitutional majority of two-thirds are in favor of the measure.*¹ This I learn from sources which do not leave the matter doubtful; and I have reason to know that President Houston himself has received the same information from sources which will command his respect. There is not, in my opinion, the slightest doubt of the ratification of a treaty of annexation, should Texas agree to make one. . . . I particularly request that you will lose no time in pressing this matter upon the attention of President Houston. It is also necessary that you should keep me regularly and promptly informed of all that may occur in relation to it. This is the more indispensable because the friends of the measure in Congress are impatient to move in it, and are with difficulty restrained in expectation that the object will be effected by negotiation.

I am, sir, your obedient servant,

A. P. UPSHUR.

The tone of this communication is to be contrasted with the cautious language employed by Upshur before his investigation was complete. On making the offer to treat, in October, he told Van Zandt "that he could not, as he would readily see, offer any positive assurance that the measure would be acceptable to all branches of this government," though he had no difficulty in assuring him "of the desire which he felt to present it, in the strongest manner, to the consideration of Congress." Mr. Thomas H. Bayly, who succeeded Henry A. Wise in Congress in 1844, and was one of the "impracticable Whigs," in 1840, who would not vote for Mr. Rives for senator, and now acting with the Democrats, asserted on the floor of Congress, January 7, 1845, that a memorandum was found among Judge Upshur's papers after his death in which a list was given of senators, marked "*certain for*" and "*certain against*," the former comprising two-

¹ Italics as in the original. Senate Doc., 1843-44, Doc. [341.]

thirds of the senators, and pointing unequivocally to the Texas negotiations, which were uppermost in his mind and absorbed all his thoughts.

The truth of Upshur's assertion is also substantiated by the evidence of President Tyler in his lecture, the *Dead of the Cabinet*, and by the speech of Charles A. Wickliffe in the Kentucky convention of 1849.

But there is evidence, too, from another class of politicians. The reports which had been spread abroad of British intrigue in Texas had roused General Jackson in his retirement. The "organ" of President Tyler cautiously approached him on the subject of naming the annexation of Texas to the United States in his message. The General advised what had already been determined upon,—“that this business should be transacted under the greatest secrecy; and the first public notice of this act should be when the treaty was concluded and laid before the Senate for ratification; and then kept secret, if that were possible, till ratified.”¹ He addressed the President in person, urging an immediate proposition of annexation. But a very remarkable coincidence is worth mentioning here. The Private Secretary of the President writes the author that the same mail brought, more than once, letters (which he opened with his own hands) from Andrew Jackson and from Nicholas Biddle,—the old Bank president and mortal enemy of Jackson,—urging annexation for very much the same reasons.² But the President only smiled and kept his counsel, and wanted to know of Jackson's friends whether he would be supported by the Senate in case he took the initiative. Then they busied themselves, like Gilmer, in feeling the senatorial pulse. “I think I can lay my finger on forty senators,” wrote one of them (A. V. Brown (?)) to Houston, “who would vote for it, while, you know, thirty-five would be sufficient.” “I have no doubt,” observed another, to whom for nearly a third of a century Houston had looked for advice (Andrew Jackson), “I have no doubt but the treaty will be ratified by the Senate, as our friends write me that thirty-nine senators will vote for its ratification, while thirty-five are two-thirds.”³ In the exuberance of his devotion to General

¹ Jackson to Houston, January 23, 1844.—*Yoakum's Texas*, ii., p. 425, note.

² These letters perished in the Richmond fire. Biddle died in February, 1844.

³ *Yoakum's Texas*, ii., p. 425.

Jackson, Mr. Brown wrote to Houston, January 17, 1844, that "General Jakson, more than any man, is the *basis* of whatever has been proposed to your government."¹ But then Brown did not know that the President had taken the initiative many days before the meeting of Congress. "I took the initiative," said Mr. Tyler, "without any previous consultation with that distinguished man. He gave to the action of the executive his zealous and cordial support, and I would be the last to deny him the full measure of honor which his patriotic advocacy implied."² The support brought to the treaty from various quarters was due entirely to the President's unrivalled tact in conciliating elements the most diverse.³

It was now the middle of January, and still Houston hesitated. A resolution passed the Texan House of Representatives unanimously in favor of annexation, and at length Houston formally offered his terms. They were no other than that, anterior to all negotiations, the United States should assume the attitude of a defensive ally of Texas against Mexico, maintain a naval force in the Gulf of Mexico, subject to Murphy's orders, able successfully to oppose the Mexican marine, and a force of five hundred dragoons and one thousand infantry on the eastern and north-eastern boundary of Texas, capable of being conveniently transported to the shores of Texas in the event of necessity. Houston knew very well that the executive of this country would give no such pledge. The Constitution nowhere conferred on the President the power to transfer his authority over the army or navy, or any portion of either, to a foreign potentate, or to enter into any alliance, defensive or otherwise, without the previous sanction of the Senate. This was as well known to Houston as to Mr. Tyler. He had filled important stations in the United States prior to his emigration to Texas, and was perfectly acquainted with the limitations and restrictions imposed by the Constitution on all its functionaries. This looked very much as if Houston wanted but a plausible pretext to defeat annexation altogether.

Murphy, however, was not to be bluffed by any of Houston's diplomacy. While regretting that the undersigned had no authority from his government to make the guaranty of the inde-

¹ Yoakum's Texas, ii., p. 423, note.

² Niles, lxxiii. p. 31.

³ Jackson, Calhoun, and Biddle.

pendence of Texas in the event of the failure of the proposed negotiation, he acceded with much complaisance to all the other pledges required at his hands. Houston found himself then compelled to dispatch without delay a special agent (Gen. J. P. Henderson) to the city of Washington, with full powers, in conjunction with Mr. Van Zandt, to enter into negotiations, and to conclude and sign a treaty with the government of the United States for the annexation of Texas. The following is an hitherto unpublished letter of Murphy:

LEGATION OF THE UNITED STATES,

WASHINGTON, TEXAS, 17th Feb'y, 1844.

To His Excellency John Tyler, President of the United States:

DEAR SIR: It affords me great pleasure to introduce to your acquaintance the bearer of this note, Mr. Miller, of this place, who has been for a number of years, and now is, the Private Secretary and confidential friend of President Houston. He visits his friends in the United States by permission of the President, who requests me thus to introduce him to you. From him you can acquire much useful information of the state of political events, past and present, relating to this interesting Republic, and I am the more gratified that I can assure your excellency that he is every way reliable.

I have forwarded dispatches to the Department of State by express, and hope they may reach you before this does; lest they should not, I will add, that this government has sent out Col. Henderson as envoy extraordinary and minister plenipotentiary, with ample powers to treat with the government of the United States for the annexation of Texas to her mother country. But before this could be done, the exposed and defenseless situation of Texas did seem to require that the United States would not leave her defenseless or expose her to the invasions of Mexico pending such negotiations, to which the United States had invited her. Under these circumstances, and the protestation of President Houston that he could not enter into such negotiations, which would inevitably induce the invasion of Texas the moment it was known in Mexico, without some assurance from me in behalf of my government that such invasion would be checked by the United States; and being at the same time deeply impressed by the Department of State of the United States with the vital importance of the measure to my country, I could not consent to defeat the wishes and views of my government in this great measure by withholding the pledge asked for as antecedent to such negotiation.

Col. Henderson left here yesterday for Washington city, but having to go by the way of St. Augustine, I presume Mr. Miller will reach Washington city before he does.

I glory in the accomplishment of your wishes thus far; that President Houston is warmly now in favor of the measure of annexation, and so is Col. Henderson, who is sent to treat upon the subject. That the treaty can be made I have no doubt, and I do pray that it may be ratified and added to the

wreath of renown which already encircles your brow, and give immortality to the escutcheon of my beloved country.

Gen. Houston and myself will go to Houston soon, in order to be near to the receipt of information from the United States.

With assurances of my great respect and esteem, I have the honor to be,
dear sir, your most obedient servant,

W. S. MURPHY.

P. S.—Will your excellency order an additional naval force into the Gulf, subject to my order, if you deem it proper? The appearance of such a force will check all movements whatever, if it arrives before the movements are made.

W. S. M.

The resolution to send Henderson to co-operate with Van Zandt was taken on the 15th of February, 1844; and on the same day the commissioners of Texas and Mexico signed a formal armistice at Sabinas. Thanks, however, to Mexican punctilio, the armistice came too late. When the news of it arrived to Houston, General Henderson was already *en route* to the United States. The Texan president knew well how to act his part. He placed his finger on the line in the first article, where Texas was called a mere "department," and rejected the armistice with scorn. Congress in the meantime had given unequivocal indications of its disposition in favor of annexation. The rumors that filled the air of British intrigue had aroused men to the necessity of present action. The failure of the propositions heretofore made by Texas for admission into the Union was by no means an indication of the wishes of the people. All the prominent men were committed to the policy; and annexation had been considered rather as a question of *time* than anything else. Hitherto the adjustment of the Mexican claims had been a difficulty in the way. These claims had their origin in the most abominable spoliations on the property of our citizens, committed under the anarchy of Mexican government. By a convention ratified in 1840, their adjudication was referred to a commission, which, in April, 1842, awarded about \$2,000,000 to American citizens. The Mexican government had, by the terms of the convention which established that commission, the alternative of paying the awards either in coin or their own Treasury notes at their option. As the Treasury notes were immensely depreciated, it became a matter of further negotiation to make a more advantageous arrangement. Thompson negotiated a new convention, making the claims payable by installments in coin only, which was a great improvement upon

the award. There were, however, some eighteen claims not adjudicated for want of time, and in regard to these Thompson received orders to negotiate another convention. This he did; but though the President was willing to accede to it, the Senate at this session, irritated by the warlike menaces of Mexico, and by the stoppage of the Santa Fe trade to our citizens, which Thompson thought "would cause a greater sacrifice to American interests and property than all the previous outrages of Mexico upon our citizens united," refused to ratify it, because the place of the commission was at Mexico instead of Washington. But a still more decided indication was given of the concurrence of Congress with the executive on the subject of annexation, in the reception accorded the resolution of Robert C. Winthrop—that ornament of his State—to suspend the rules of the House to permit the introduction of resolutions against annexation. The House, on the 15th of March, 1844, refused permission by forty ayes to one hundred and twenty-two noes.

Suddenly, on the 28th of February, Upshur with Gilmer, who ✓ had been unanimously called to the Navy Department in the place of David Henshaw, rejected by the Senate, was snatched from the scene by the explosion of the gun on board the steamer *Princeton*. A gloom overhung the whole country for days. The blow fell more heavily upon the President than on any other man in the Union. "You have heard no doubt," he wrote to his daughter, Mrs. Jones, on the 4th of March, 1844, "of the terrible occurrence on board the *Princeton*, together with all the particulars. A more heart-rending scene scarcely ever occurred. What a loss I have sustained in Upshur and Gilmer. They were truly my friends, and would have aided me for the next twelve months with great effect. But it is all over now, and I must look out for new cabinet ministers. My great desire will be to bring in as able men as the country can afford. I shall determine upon them in the course of the week."

The affairs of a great nation run onward with a ceaseless current. The vacancy left by Upshur was filled by the appointment *ad interim* of the Attorney-General, John Nelson.

This was followed by a letter from Murphy, informing the President of the pledge given by him in behalf of the government to Houston. A prompt disavowal was returned by Nelson on the

11th of March. But the President in this reply did not omit to intimate what would be his course at a later and more advanced stage of the proceedings. On the 17th of March, Van Zandt had addressed to Upshur the question whether, "should the President of Texas accede to the proposition of annexation, would the President of the United States, after the signing of the treaty, and before it should be ratified and receive the final action of the other branches of both governments, in case Texas should desire it, or with her consent, order such number of the military and naval forces of the United States to such necessary points or places upon the territory or borders of Texas or Gulf of Mexico as shall be sufficient to protect her against foreign aggression?"

No formal reply at this time was returned by Upshur, since Van Zandt was not invested with full powers, and since but the day before Upshur had written to Murphy as to the pledges of the senators, which appeared to offer all the security necessary. But Van Zandt was verbally informed by Upshur, that the moment the treaty was signed the President would make a precautionary disposal of troops in the neighborhood of Texas, and employ all the means placed within his power by the Constitution to protect Texas from all foreign invasion.¹

Now Texas was informed by Nelson in this last dispatch that the President, "while unable to employ the army and navy against a foreign power with which the United States were at peace, he was not indisposed, as a measure of prudent precaution, and as preliminary to the proposed negotiation, to concentrate in the Gulf of Mexico and on the Southern border of the United States, a naval and military force, to be directed to the defense of the inhabitants and territory of Texas, though he could not permit the authorities of that government to labor under the misapprehension that he had power to employ them at the period indicated by Murphy's stipulations."² When that "proper time" arrived the State department had changed hands once more. The nomination of John C. Calhoun as Secretary of State was unanimously ratified on the 6th of March; and the next day after Henderson's arrival from Texas, on the 29th of the month, Calhoun entered on the duties of his office.

¹ Mr. Van Zandt to Mr. Jones, January 23, 1844.—*Yoakum*, ii., p. 426.

² Senate Document, 1843-'44, Doc. (349), p. 10.

How Mr. Calhoun came to be called to occupy the place of Upshur has now to be told. Every public man has once in his life occasion to say, "Save me from my friends, and I will take care of my enemies." This was Mr. Tyler's time. "My desire will be," wrote the President, "to bring in as able men as the country can afford." If *that* was the President's desire, as it certainly was, it was very natural for him to think of his old friend and colleague, Mr. Tazewell, at Norfolk, between whom and himself there had been always such congeniality of disposition and political principle. Then, again, he could not help thinking of John C. Calhoun, whose ability was as undoubted as his personal character was as pure as the snow. But there were serious objections to the latter personage.

Mention has been made of the earnest efforts of President Tyler to raise the question of annexation above the level of party. Filled with this thought, he had taken the greatest pains to secure beforehand the favorable disposition of the senators to the anticipated treaty. As the Democrats were destined to exercise the control of the twenty-eighth Congress, these efforts were directed more especially to the conciliation of that portion of it which had followed the fortunes of Jackson and Van Buren, and who now, in pressing Van Buren's re-nomination in 1844, had decidedly the ascendancy over the State-rights wing, who had come over to them in 1837, and were led by Calhoun. The two factions in the Democratic party thus described were exceedingly jealous of one another, and the fire of the old quarrel between Calhoun, on the one side, and Jackson and Van Buren, on the other, had by no means burnt out. To have let the little finger of Calhoun appear in the transaction would have been, in Mr. Tyler's opinion, detrimental to the treaty. He, therefore, studiously avoided, until a decidedly later day, approaching Mr. Calhoun or his friends in connection with the subject.

This policy was all the more necessary, as, after the elections in 1842, the Van Burenites,—Benton, Blair, Bagby, etc.,—had joined with the Whigs in abuse of the administration for fear of the advancement of Mr. Tyler. The conciliation of ex-President Jackson, who, though in retirement, exerted a great influence with the old Federal Democrats and the authorities in Texas, was therefore a matter of much moment to the administration. This concilia-

tion was happily rendered easy by Mr. Tyler's course on the Bank, against which the old General still harbored the most profound antipathy. In October of that year, Jackson publicly congratulated the country at large on the spectacle of Mr. Tyler's firmness. He added that, "in the ability and determination of the President to maintain the government on principles purely republican, he had the most abiding confidence."¹ The part afterwards taken by Mr. Tyler, in answer to numerous petitions and resolutions of State legislatures, in urging upon Congress to indemnify Jackson for the fine of \$1,000 imposed upon him by Judge Hall at New Orleans, had further endeared Mr. Tyler to the occupant of the Hermitage. Even while the Texas treaty was in Upshur's hand, Jackson wrote to the President a public letter full of gratitude, acknowledging the receipt of one from himself, enclosing a copy of the act which removed the stain from his character.² In all this the President was true to himself. In the bitterest days of opposition, he had never aspersed the motives of President Jackson; and in the speech he delivered in 1839, on the distribution of the proceeds of sales of the public lands, he had paid the highest tribute to his native excellence and worth.

A similar course, without compromising the dignity of the executive, was pursued with reference to Benton, the old partisan leader of the *loco-focos* in the Senate. An expedition was fitted out for Oregon in the summer of 1843, and the conciliation of Benton was one of the reasons which induced the administration to make John C. Fremont, apart from his own pre-eminent fitness for the place, the commander of the enterprise.³ Benton looked upon himself as the particular patron of the west, and the choice made of his son-in-law was particularly gratifying to his excessive vanity.

¹ Andrew Jackson to Messrs. J. P. Hardwick and others, October 24, 1841.

² Andrew Jackson to John Tyler, February 17, 1844.—*Niles*, lxi., p. 66.

³ Fremont returned in 1845, and was rewarded with a "brevet" by the President.

[PRESIDENT TYLER TO THE SECRETARY OF WAR.]

DEAR SIR: Is not Lt. Fremont entitled to a brevet for his late enterprise to Oregon? If you concur, write me a note, representing the facts, and send up the nomination.

Yours truly,

J. TYLER.

The account in Benton's "*Thirty Years*" of Fremont's expedition is exceedingly *Bentonian*. The credit of the "Brevet" is given to Secretary Wilkins, and ludicrous stress is laid on the "howitzer."—*Thirty Years' View*, ii., p. 587.

This wise and prudent policy had resulted, as we have seen, in securing the pledges of more than two-thirds of the senators in favor of a treaty of annexation; and of course Mr. Tyler was not disposed to hazard, by any act of his own, the work so happily accomplished with the aid of Upshur. Mr. Calhoun had been pressed upon Mr. Tyler several times during the administration as secretary of state; but though he was prepared to recognize the worth of the Carolinian, Mr. Tyler dreaded the effects of his appointment on the embittered factions of the country, and never would acquiesce in it. The fact was that Mr. Calhoun, though admirable for his ability and his manhood, was undesirable in respect to his political character, which made him as much a sectionalist as Seward or J. Q. Adams. His American-system views in 1816, and his slavery views in 1844, were identical in principle. In the one case he was a Northern sectionalist, and in the other a Southern one.

Mr. Tyler knew from the first that Calhoun's presence in the cabinet would bring but little political strength to the administration.¹ On the other hand, he was distrusted by Jackson, Van Buren, and Benton, while John Quincy Adams and his green-eyed zealots looked upon him as "the high priest of Moloch, the embodied spirit of slavery." Thus, on Upshur's decease, it was by no means an assured fact that the pledges which the senators had given in reference to the Texas treaty would be fulfilled if transmitted for ratification with the name of Calhoun attached as the high contracting party on behalf of the United States.

But Mr. Wise now took a step which placed the President in a dilemma which caused him to waive his objection to Calhoun, and speedily to send in his nomination as *a choice of evils*. Mr. Tyler was under obligations to Mr. Calhoun and Mr. McDuffie for the support which they had given to the Ashburton treaty and his nominations. When Mr. Wise's name was before the Senate, in 1842-'3, for the mission to France, and the doctrine was openly avowed that the President should not have his own friends in

¹ The State-rights party of the South had discarded his lead in 1833, nor could he in any proper sense be regarded as the leader of the State-rights Democrats now. "Calhoun," wrote Crittenden, December 10, 1843, "has no strength—no abiding supporters—outside of South Carolina, and must soon be given up by the friends he has."—*Coleman's Crittenden*, i., p. 211.

place, Mr. McDuffie had met the dogma as it deserved, and denounced it with great cogency and spirit. Mr. Wise was drawn to him and Mr. Calhoun out of personal gratitude; and in the "spirit of rashness,"—which Mr. Wise admits his friends charged against him, and which, he says, often saved him in predicaments where caution might have failed,—he took the liberty of committing Mr. Tyler, under the implied sanction of his authority, to McDuffie, respecting Calhoun's appointment to succeed Upshur. Mr. Wise could count upon wonders of indulgence with Mr. Tyler for his faithfulness in the Bank contest of 1841, but, as the President's private secretary writes, he never realized how near Mr. Tyler was, in the first impulse of his pain and indignation, to ordering him, not to Brazil, where he dispatched him, "but *from his presence forever.*"

But the deed was done. To cast off Wise, and disavow his authority, would only make matters worse. The withdrawal of the appointment would be bitterly resented by Senator McDuffie and his friends, and would *jeopard the important treaty of Texas*. The President acted wisely. Instead of rejecting, he promptly ratified Wise's tender to McDuffie; and he did it with all the more grace since he knew that he was calling to his side one of the first men of the age, observing to Wise, "I doubtless am wrong in refusing the services of such a man." True, Benton and his *locos* were jealous of Calhoun; but then, did he not have the pledges of the senators in favor of the Texas treaty, and would they dare to break them? But there was another question, almost as important as the Texas treaty, as to which Calhoun's advice would be especially serviceable,—the question of the Oregon boundary. Mr. Tyler says that in his letter to Calhoun, inviting him to his seat, he especially urged him to come to the aid of the administration for the adjustment of the *Oregon boundary*. "I confess," says Mr. Tyler, in his *Deal of the Cabinet*, "to an anxious desire at the time to close my residence in Washington through the adjustment of the only open question of moment existing at that day between them. The important treaty of Texas presented no real impediment in the way of its negotiation. The subject was soon disposed of, and communicated to the Senate." Indeed, it was not in respect to Texas at all, which Upshur had virtually closed, but in respect to Oregon territory, that President Tyler

contemplated any good results from the appointment of Calhoun. "My letter," says Mr. Tyler, "informed him for the first time of the pending negotiation for the annexation of Texas." Before me lies the *original* of the very first letter of Calhoun on the present subject of annexation. It was not until after the President's message, in December, 1843, which contained the striking suggestions as to Texas, that Mr. Calhoun, who was then in retirement, was approached by the friends of the administration on the expediency of annexation. Instead of Texas annexation being a Calhoun conspiracy, in which Upshur and Gilmer acted as the tools of the Carolinian, the fact is that there was a decided coolness between Mr. Calhoun and the State-rights Whigs.¹ Upshur, in one of his letters, says that he had no confidence in such ultraists as Clay, Calhoun and Van Buren. Mr. Tyler says, in his "*Dead*

¹ The State-rights Whigs bitterly resented Calhoun's defection in 1837. See Preston's letter in the first volume. In a letter of George R. Gilmer, Governor of Georgia, to his cousin, Thomas W. Gilmer, I read :

MILLEDGEVILLE, 28th January, 1839.

I am sorry, my dear sir, that you have so poor a counsellor as to what is to be done by the State-rights party. They say here that I belong to the old school,—that I am behind the improvements of the age,—and perhaps with some truth. I certainly do believe that it is better to put honest, capable men into office than insolvent, dependent knaves. But now that the spoils belong to the victors, those who stand in most need of a share and will fight the hardest for it are most apt to procure public appointments. Such opinions may be out of place. Seriously. I can give no answer satisfactory to myself to your question. . . . As to your friend, Mr. Calhoun, he is too exclusively selfish, too ambitious, and too grasping in all his efforts to be trusted by others to effect a great public purpose. As soon as public opinion pointed out Mr. Crawford as the choice of the Republican party to succeed Mr. Monroe, he courted and wheedled the President into opposition to Mr. Crawford, and favored the national party in all their views about the tariff, a national bank, internal improvements, the army and navy, erecting extensive fortifications, lest the success of a Southern candidate should be in his way. He entered ardently into the opposition to the nomination of Mr. Lowndes for the same purpose; plotted with Norman Edwards, Ingham, Hugh Nelson, Gabe Moore, McKenney, through the basest arts of detraction, to ruin Mr. Crawford; was himself a candidate for the presidency in Pennsylvania until his folly became apparent; supported Mr. Adams; became the most assiduous friend of Gen. Jackson, after his success, until the "great magician" and Mrs. Eaton proved themselves more suitable to the taste of the greatest and best; and then his enemy, with a malignity scarcely human, sought, in the union with Mr. Clay, Webster, Biddle and the Bank, a road to power, until, perceiving that Mr. Clay's fortunes were in the ascendant with the Whigs, he has descended to follow in the footsteps of Kendall, and raise unceasing hosannas to Bentonian humbuggery."

of the Cabinet," that on account of differences growing out of the canvass of 1840, his intercourse with Calhoun had been confined to civilities merely.

The following is the letter used by Mr. Gilmer at the session of 1843-'44 with Mr. Calhoun's friends in Congress:

[CALHOUN TO GILMER.]

FORT HILL, 25th Dec'r, 1843.

MY DEAR SIR: My opinion has long since been made up, and often expressed, on the important subject to which your letter refers. I believe the annexation of Texas to be necessary to the peace and security of both countries, and will be beneficial to the rest of the civilized world, including Mexico herself. That it is obviously so for Texas and the southern portion of our Union must be admitted by all who will calmly and fairly examine the subject. That she will contribute vastly more to the general wealth and prosperity of the commercial world, without endangering the peace or independence of any other nation, by being annexed to our Union, than without it, I hold equally clear, if Mexico be not an exception. I hold that she is not. To my mind it is clear that if Texas, in her independent state, should become a bone of contention between us and England, it is almost impossible but that Mexico would be involved as a party with England, and that her subjugation would follow almost as a matter of course.

As to the other portions of our Union, North and Northwest, her annexation would open a wide and valuable market for their products, while in a political point of view it could not more than compensate for the vast extension opened to the now slaveholding States to the Pacific on the line of the Oregon.

The objection that it would extend our domestic institutions of the South, it must be met as a direct attack on the compromise of the Constitution, and the highest ground ought to be taken in opposition to it on our part. You will find one of my resolutions, moved on the subject of abolition, in '38 or '39 I think, directly applicable to the case. I think it was the last of the five I then moved. I do not think that there is anything in the ground that we acquired the country under the treaty of Louisiana, we had no right to cede it away, and that therefore it is still ours. It seems to me the true ground is, that the interest and safety of both countries require it, and that it would not be detrimental to any other. Under such circumstances no nation has pretext to interfere, except it be Mexico, and she none fairly considered. The same principle as was applicable to the union of England and Scotland or Ireland, or of these States, is applicable to the union of Texas with us. The proper course in all such cases is to take openly and boldly the true ground, and to maintain it at all hazard. In such a case I would rely on no refinement or unimportant argument, but take the broad, plain, general ground.

I do not wish what I write to be published. I think it would rather do harm than good to publish anything from me on the subject under existing circumstances. It would give it too much the air of a mere presidential

movement. Besides, I have ever been averse to appearing in the papers when I could avoid it; but I have no objection that my views should be known, and that you should show this to any friend you may think proper.

With great respect, I am yours truly,

J. C. CALHOUN.

Mr. Calhoun's appointment was ratified by the Senate on the 6th of March, unanimously, as Mr. Gilmer's had been. But he did not arrive in Washington until several weeks later. In the meantime John Nelson continued to discharge the duties of Secretary of State. Be the explanation of Houston's reluctance to respond to annexation what it may, it is certain that his "masterly inactivity" cheated two men successively of the honor of signing the treaty of annexation. General Henderson, whom it will be recollected Houston joined in the commission with Van Zandt, did not arrive in Washington until after the explosion on the *Princeton*, by which Upshur lost his life, nor until after the interregnum of Nelson, and Calhoun had taken possession of the State department.

"The idea," wrote Mr. Tyler to his son, Col. Robert Tyler, in 1856, "that Calhoun had anything to do with originating the measure is as absurd as it is designed to be wicked. I exchanged no political views with Calhoun at all until he became a member of the cabinet; and at the time of my directing Upshur to enter upon the negotiation, Calhoun was in private life. The knowledge of what was designed was confined to Upshur, Nelson and Van Zandt; and if Van Zandt had possessed power to negotiate, the treaty would have been negotiated in a week; and furthermore, if General Henderson had reached the city before Calhoun, John Nelson, the Secretary *ad interim*, would have concluded the matter. Calhoun reached before Henderson, and therefore did what Upshur or Nelson would have done as well."

Mr. Henderson at length arrived; and now the finishing touch was put to the treaty. Only a few new ideas were advanced by Mr. Calhoun, and the treaty as signed was the work of Abel P. Upshur. But before that time came, the Texan ministers had reviewed the question of protection, and desired from Mr. Calhoun a formal answer to Van Zandt's letter of January 17th. The reply made by Mr. Calhoun on the 11th of April, 1844, was entirely harmonious with the previous expressions of Upshur, as reported by Van Zandt, January 23d, and the dispatch of Nelson of March

11th. The threat of Mexico in August preceding, that a proclamation of war would attend annexation, made it nothing more than prudent that our forces should be disposed as Texas desired, in order to protect the United States themselves. Calhoun declared that, "during the pendency of the treaty of annexation, the President would deem it his duty to use all the means placed within his power by the Constitution to protect Texas from all foreign invasion."¹ Having a right to invite Texas to treat, the executive was bound in honor, as far as the Constitution would permit, to save Texas harmless. The executive power was confined to narrow limits, but the authority was clear, pending the treaty, to concentrate forces in the neighborhood of Texas to "meet any emergency" to be judged of by Congress, the war-making power. Such concentration, it was believed, would without a blow check any hostile movement of Mexico.

The treaty was signed on the 12th of April, 1844, and immediately orders were given to the War and Navy departments in accordance with the diplomatic note of Calhoun. The officers in command of the squadron and the land forces were directed promptly to report all hostile movements of Mexico to the executive, which would then lay them before Congress for its "mature deliberation." A whisper had gotten abroad that Clay would oppose annexation, and Archer, the chairman of the Senate Committee of Foreign Relations, who was now taken into the secret, urged, with other Whigs, that a previous attempt to obtain the consent of Mexico should be made. This the executive refused to do, since it regarded Texas fully as independent as Mexico. But to afford a retreat to these non-contents, who wanted Texas and were yet the straws of party gales, the executive consented to send a messenger to Mexico for the purpose of keeping open the door of explanation and conciliation. As the messenger would take about forty-five days to go and return, Archer engaged to delay the treaty for that period in the Senate, in order to hear from him.² Mr. Ben. E. Green was accordingly dispatched. The fertile imagination of Benton distorted this into an intrigue to affect the Whig and Democratic conventions, which met within that time.

¹ Speech of Mr. Archer, *Congr. Globe*, 1843-'44, Append., p. 693.

² "At the same time it is due to myself that I should declare it as my opinion,

The treaty was submitted to the Senate on April 22d. In the interval Mr. Calhoun took up the correspondence of Upshur, and transmitted to the British minister, Pakenham, a letter on the designs of England to abolish slavery in Texas with a view to affect slavery in the Southern States. If government was the higher law among men, certainly this government had a reason to object to the interference of Great Britain in the domestic concerns of Texas, no matter how philanthropical was her aim. If Great Britain was to avow to-day her intention of taking possession of Japan, in order to Christianize its inhabitants, the United States would consider themselves called upon to interfere, no matter how loudly that power might profess her good intentions. There was even more reason to object when the design was avowed by a foreign nation of abolishing slavery in Texas, so as to affect our own Southern States—on a question, too, of utmost danger to our permanency as a government.

This was all reasonable enough. But when Upshur and Calhoun allowed themselves to drift into long homilies on the subject, and from that into a defense of slavery itself in the Southern States, they ran the risk of making a mere incident in the history of annexation the great object of it. The stories circulated by the abolitionists against the slave-owners stand solitary in history for vulgar violence and falsehood; but the institution was a standing denial of the political equality of man, and in that sense could never be anything but a "curse." It is due to Mr. Tyler to say that he could never reconcile himself to the sectional views that color the correspondence of Upshur and Calhoun, but continually cautioned them against placing annexation on any other ground than one of general advantage to all sections. In all his messages, which indeed—and not the correspondence of secretaries—the Constitution makes the true exponent of the executive intention, he pronounced the great motive of annexation to be "considerations of great public advantage, embracing the whole country and

that the United States having, by the treaty of annexation, acquired a title to Texas which it requires only the action of the Senate to perfect, no other power could be permitted to invade, and by force of arms to possess itself of any portion of the territory of Texas, pending your deliberations upon the treaty, without placing itself in a hostile attitude to the United States, and justifying the employment of any means at our disposal to drive back the invasion."—*Tyler's Special Message, May 15, 1844.*

all its interests." The very day after the signing of the treaty, the secretary of war, William Wilkins, addressed the people of his district, declaring that the annexation of Texas would soon be followed by the abolition of slavery in Delaware, Maryland, and Virginia. The President and his supporters agreed as to the common object, and to have warred against the course of thinking would have been suicidal.

On the whole, no measure was ever more truly *national* than the Texas one, both in respect to its importance to the future of the United States, the motives of its originator (Mr. Tyler), and the character of its supporters, which were drawn equally from the North and from the South. Mr. Tyler was a State-rights man, and State-rights meant true *nationalism*, that is, justice and equality to all States and to all sections. In our history the so-called "national" party has been the local party of the country. *They have opposed all the true national measures.* They crippled the war of the Revolution, the war of 1812, and the war with Mexico, and opposed each of our several annexations. They closed the Mississippi, and yet favored the tariff. And the only war they can boast about is a war against their own countrymen, in 1861, which they were entirely instrumental in bringing about.

In his message accompanying the treaty of annexation, Mr. Tyler said: "Independent of the urgent reasons which existed for the step it [the executive] has taken, it might safely invoke the fact that there exists no civilized government on earth, having a revolutionary tender made it of a domain so rich and fertile, so replete with all that can add to national greatness and wealth, and so necessary to its peace and safety, that would reject the offer."

And yet, what seemed so impossible, in view of the importance of the subject and the precautions¹ taken to ensure success, came

¹ The following note, having reference to the Osage Indians, located on the north of Texas, appears to have a connection with the Texas treaty :

[TO THE SECRETARY OF WAR.]

"April 17,

"DEAR SIR : You will oblige me by giving a half hour private audience to the Osages who will hand you this. They should have medals, or certificates in thin tin cases. You will see how proud they are of them ; and at this moment it is important to conciliate their feelings thoroughly, from their position on the map.

Yours,

J. TYLER.

"JUDGE WILKINS."

to pass. The treaty was rejected, Texas spurned, the President threatened anew with impeachment,—and for this one reason, that he had acted through the whole transaction with the best interest of his country to heart. The politicians made a great measure of state a mere question of party, and the exaltation of the nation was considered as nothing beside the aspirations of two men for the presidency,—Martin Van Buren and Henry Clay.

I shall now close the chapter with a letter from Mr. Everett, our minister to England; and another from Mr. Jenifer, our minister to Austria:

[MR. EVERETT TO PRESIDENT TYLER.]

[*Private.*]

LONDON, *April 8, 1844.*

MY DEAR SIR: Although the preparation of the public despatches, which are unusually heavy, has left me but a moment's leisure, I cannot allow them to be closed, without addressing you a single line for the purpose of expressing the sincere and respectful sympathy which I have felt with you on occasion of the disaster of the *Princeton*, not merely in reference to the public interests, but of those feelings of personal attachment which I have reason to think existed on your part toward the Secretary of State, and which must have been so deeply wounded by this calamitous event. Your own escape, in a moment of such extreme peril, may well be regarded as providential.

The papers of yesterday bring the intelligence of the appointment of Mr. Calhoun to the place made vacant by this sorrowful event. Although my thoughts, on first hearing of Judge Upshur's fate, turned toward Mr. Webster as the individual who would perhaps be thought of to fill the department, I am free to say that, considering the state of the country and the peculiar nature of our foreign relations, Mr. Calhoun will, in my judgment, bring to the public service a greater capacity of usefulness than any other individual could do; nor do I doubt that his disposition will fully second his ability.

With the most cordial wishes for your health and happiness, and the success of your administration, I remain, dear sir, as ever,

Your most obliged, faithful servant,

EDWARD EVERETT.

[MR. JENIFER TO PRESIDENT TYLER.]

VIENNA, *March 22, 1844.*

MY DEAR SIR: I have this moment, since closing my dispatches for today's mail, received the intelligence of the dreadful catastrophe which occurred on board the steamship *Princeton*. I will not attempt to express my feelings on the occasion, but do most sincerely sympathize with you and our common country in the loss of so many valuable lives. To you who were present and witnessed the scene, which bereft our country of some of her most distinguished citizens and yourself of warmly attached and estimable friends,

it must have been awful in the extreme; but amidst this sad calamity you, my dear sir, have cause to be grateful to an all-wise Providence that yourself and immediate family were not embraced in the same melancholy fate.

In the death of Judge Upshur, who seemed by his talents and exemplary character to have won the good opinions and affections of all who knew him, you have lost an inestimable friend and the country one of her ablest statesmen. Mr. Marcy was one of my earliest and most esteemed friends, and, indeed, nearly all who have thus suddenly been snatched away were known to me, and whose fate I deeply deplore.

Few men have had to encounter greater difficulties within the last ten years, both personal and political, than yourself, and this last affliction must add much to them. I trust, however, that you will be enabled to meet it with becoming fortitude.

Pardon me for thus intruding on your feelings at the present moment, as I could not forbear upon receipt of the sad intelligence to express my sympathy.

Very truly yours,

D. JENIFER.

CHAPTER XI.

1844.

—
"Brutus.—Let them enter,
They are the faction. O conspiracy!"
—

THE PARTY CONVENTIONS.—INTRIGUES OF THE VAN BURENITES.—CLAY AND THE TEXAS QUESTION.—CLAMORS OF THE ABOLITIONISTS.—CLAY AND VAN BUREN COME OUT AGAINST TEXAS.—WISE'S REJECTION BY THE SENATE, AND RE-ELECTION TO CONGRESS.—MR. TYLER AND THE OFFICE-HOLDERS.—USURPATIONS OF THE SENATE.—TYLER STATE CONVENTIONS.—TYLER NATIONAL CONVENTION.—POLK AND WRIGHT NOMINATED BY THE DEMOCRATS.—LETTER OF MR. TYLER.—MR. TYLER'S LETTER OF ACCEPTANCE.—THREATS OF IMPEACHMENT.—CHANCELLOR KENT.—VOTE UPON THE TREATY.—TREACHERY OF THE SENATORS.—THE TEXAS TREATY REJECTED.—THE ZOLLVEREIN TREATY LOST.—MARRIAGE OF THE PRESIDENT.

CLAY, as we have seen, had succeeded in fully committing the Whigs to his nomination in 1844. The same unanimity did not prevail in the Democratic party. Immediately after the fall elections, in 1842, the contest arose in the bosom of that organization over the time of holding the National Democratic Convention. The regular time was in May, during the long session immediately preceding the presidential election. But formidable schisms had been raised in the party since 1840. Van Buren still held the guiding strings, but Cass, Buchanan, Calhoun and R. M. Johnson controlled a larger minority of those who styled themselves Democrats. All these were regularly before the country for presidential favors, and were eager to destroy Van Buren.

"Ye ancient leaders" had taken in the whole danger at a glance. To welcome Mr. Tyler into the party ranks would have been fatal to them, since they knew from instinct that the influence of the government would be thrown on some other candidate than Van Buren, or it might be that they might all rally on him. Hence the *loco-focos* had opposed the Ashburton treaty, and the *Globe* had followed it up by an incessant assault upon Mr. Tyler.¹

¹ The *Globe* thus stated its case against Mr. Tyler: "No one will, we think,

The next point was to have an early convention, since every day's delay gave so much the more chance to Cass and the other candidates. As early as the latter part of October, in 1842, the Van Buren members of the Legislature of Tennessee passed a resolution recommending the fourth Monday in November, 1843, as the day of the convention. This was extraordinary, since the last Democratic convention had assembled in May, 1840, during the long session preceding the presidential election. A like recommendation followed from Richmond, and another from the Van Buren junto at Albany. But this game of "snatching a candidacy" did not work. The other candidates united in a common policy, and ten States and the Democracy of the city of New York soon pronounced their voices in favor of the fourth Monday in May, 1844. The *loco-focos* were thus compelled to yield; but their facility at wireworking, the fruit of years of drill, enabled them to secure the large majority of the delegates to the convention who were instructed to vote for Van Buren. On January 28, 1844, Crittenden wrote that "Van Buren was surely to be the *loco* candidate; that is the settled *doom* of the party, and the authors of it could not, if they would, change it." But Crittenden was not a prophet, nor the son of a prophet.

The mine was already laid which was destined to blow Van Buren sky high,—and Clay too. A few weeks after, the Texas question was exploded on the party leaders. This question, which was important enough to occupy the whole field, had been hitherto carefully avoided by Clay and Van Buren. The increasing

venture to deny that Mr. Tyler, at the moment the fortunes of the Democracy were struggling with an accumulation of difficulties, *separated himself from that party*, and became, to a certain extent, the instrument of its overthrow. But he has now quarrelled with his new friends, and wishes to come back to his old; *or rather to stand where he is while they come to him*. It also appears that he does not expect to be merely tolerated *as a repentant sinner*, but that the Democratic party shall reward him for his desertion by rallying under his banner, and placing him at the head. This, we think, is asking rather too much. . . . If Mr. Tyler wishes to *return*, we say, with all our heart, *let him return*. But at the same-time we will venture to hint, that before he becomes '*one and indivisible with the Democracy*' he must *demonstrate the sincerity of his repentance* in a more satisfactory manner than he has hitherto adopted. The treaty, the tariff, the bankrupt law, the exchequer, the letter to Governor King, the distribution bill, the repeal of the Independent Treasury and the composition of his cabinet are not sufficient pledges of his conversion."—*November 29, 1842.*

rumors of British intrigues, and the widespread discussion of the subject, could not draw them out of their silence. They had to be lashed out of it. None of the aspirants were willing to disturb their previously formed combinations by the introduction of any new element.

For great state reasons, unconnected with the presidency, the President had succeeded in keeping the negotiation a secret until the appointment of General Henderson as a commissioner with Mr. Van Zandt. The laughter of Europe had been more than once excited by the ostrich policy of discovering our foreign relations at the most critical moment. In this case, not until after the details of the treaty had been perfected by Upshur and Van Zandt, did wind of the affair get out. After the new arrangement,—the details of the treaty having been already perfected by Upshur and Van Zandt, and only needing the signatures of the negotiators,—no particular secrecy was enjoined or observed. The first blast proceeded from the *National Intelligencer*, which, on the morning of the 16th of March, 1844, in its leading editorial, upwards of two columns long, made the announcement of the fact to the nation. Before the thunder of the news had passed away, Mr. A. V. Brown published his letter from General Jackson, in the *Enquirer* of 22d March, strongly recommending the measure of annexation.¹ Mr. Ritchie, the ancient friend of annexation, of course endorsed the letter with all his heart. Blair and Rives, editors of the *Globe*, followed suit, with a great flourish of trumpets, asserting it as their decided conviction that "a very large majority of the people, of the Democratic party, and even of Mr. Van Buren's friends, approved, and still approve the measure."

Mr. Henderson arrived in Washington on the 28th of March, after paying a visit to General Jackson. Mr. Calhoun arrived at his post not until the 29th. These things happened as of course. The pledges of the senators having been secured in favor of the treaty,

¹ The date of Jackson's letter was published as February, 12, 1844, instead of 1843. This was a very natural mistake. Indeed, to the writer's own knowledge, nothing is more frequent in the papers of that time than errors of date. Benton, however, represents A. V. Brown as deliberately perjuring himself by substituting 1844 for 1843, to effect a greater impression on the people. This was poor consolation. Jackson soon followed it up by another letter, more urgent of annexation than the first.

the President indeed had never calculated what its effect would be on parties; and it was his confident conviction, up to a period succeeding the signing of the treaty, expressed to many, that it would, from the circumstances of the case, receive the support of both Mr. Clay and Mr. Van Buren, so that neither would be affected by its negotiation. But whom the gods wish to destroy they first render insane,—“*Quem deus vult perdere prius dementat.*”

Clay's policy was to make himself especially agreeable to the abolitionists and anti-Masons—his old enemies—and as early as December 5, 1843, in a private letter to Crittenden, he regarded Texas in Tyler's hands as a mere fire-brand, to be noticed as little as possible. Thus, apart from his aversion to support on personal grounds, any measure proceeding from Tyler or Calhoun, he feared its effects upon this element of the people. Bravely did Clay close his ears to the ever-increasing cry from the people in favor of annexation. In February, the appalling news reached him that forty-two of the senators were pledged to support a Texas treaty. In alarm he wrote: “If it were true, he would regret extremely *he* had no hand in it.”¹ In all this perplexing period we can observe the careful weighing of the wretched politician, now against and now for Texas.

The abolitionists in the meantime had not been idle. These higher law gentlemen gladly seized upon the pretext of the treaty and the nomination of Calhoun to carry out their cherished project of dissolving the Union. The very stars cracked with the clamor of their cries. In an address put forward by Mr. Adams and twelve other abolition members of Congress, in March, 1843, the consummation of the measure was declared “so injurious as in their opinion not only inevitably to result in a dissolution of the Union, but fully to justify it.” (!) The Legislature of Massachusetts, not content with having in various instances put South Carolina to shame by nullifying the Constitution, by refusing to surrender fugitive slaves, solemnly proposed to repeal the compromise of legislation in 1787, which gave representation to the slaves of the South. This it followed by a declaration more state-rights than the celebrated Virginia resolutions of 1798-'9, affirming that the annexation of Texas would operate *per se* a dissolu-

¹ Coleman's Crittenden, ii., page 217.

tion of the Union. The Whig State Convention of Massachusetts uttered the same sentiments. The public journals in Massachusetts and Vermont teemed with articles threatening the immediate dissolution of the Union. The papers whirled the torch manfully under the Ephesian dome. The Boston *Atlas* planted itself upon the independent sovereignty of Massachusetts, and declared that "there was no hope of happiness on earth that we will not surrender rather than submit to this accursed hellish plot." The Philadelphia *North American* did not hesitate to express the opinion that "the Union should be declared at an end as soon as this most disastrous event takes place." "Annexation, come in what shape it may," said the *New York American*, "is and should be the dissolution of the Union." And yet not a man of any sense could truthfully deny that the question of annexation was the accepted policy of the government, nor contradict the statement of the *New York Journal of Commerce*, that the free States were to hold in the near future an uncontrollable sway, and that Texas could not alter the case one way or the other.

The pressure upon Clay was greater than on Van Buren, since the sectional element North was found to a greater degree in the Whig ranks. Yet, up to the twentieth of April, there was still a peg to hang a doubt upon that Clay would come out for Texas. On that day Mr. Tyler wrote as follows:

Parties are violently agitated. Clay will most probably come out against Texas. If so, he is a doomed man, and then Van will seek to come in on Texas and my vetoes. For that we are ready to do battle.¹

The plain course for the two leaders to have pursued was to have disregarded the ultras, and to have embraced the Texan issue at once. There was wisdom in what the *Madisonian* said: "Let those who oppose this measure weigh well the consequences. It is not a party measure. It has received the sanction of the leaders of all parties. Every man may support it and still maintain his position in the ranks of any party." Again: "Therefore we declare that we have no preference between the parties in reference to this measure. We feel as much anxiety for Whig support as for Democratic support in the Senate, and between Van Buren and Clay we have no partiality for the former."

But Clay and Van Buren were deaf to advice, and to the astom-

¹ Letter to Mrs. Jones.

ishment of the nation came out on the same day in the *Globe and Intelligencer* both against "immediate annexation." That this was preconcerted cannot be doubted. Their principles being the same, there was nothing to interfere with a most unrestricted friendship, except when they were snarling and snapping over the spoils. The *Globe* and *Intelligencer* had joined hands after 1842 in abusing the administration, and Van Buren had, in May, 1842, paid a visit to Ashland, "where he and Clay had had a great deal of agreeable conversation, but not much of politics." (!) Both Clay and Van Buren had a small coterie of friends at Washington who were especially agreeable to one another. They met together and agreed on the day of publication, and shaped the letters as they wished them.

The action of Clay and Van Buren was well calculated to make Mr. Tyler exclaim, in the language of Cromwell, "the Lord hath delivered them into my hands." And this leads me to review the political fortunes of the President's friends since the resolve was taken to organize with reference to the presidency. Denounced equally by the Whigs and the *locos*, the State-rights republicans, who agreed with Mr. Tyler in sentiment, had no other course but to stand to their arms.¹ The politics of the times made it peremptory to take an active part in the contest for the presidency, since it was impossible to act efficiently for their principles without it. Upshur wrote to Tucker on the subject, even as early as October 30, 1841:

The more I reflect upon my present position the more uneasy I am under it. I have already said I desired that Tyler should be a candidate for re-election. I am decidedly in favor of the one term principle, but I do not think it applies to him. He has never been elected, and to apply the principle to him would deprive him of the opportunity which every man is entitled to, of testing his acceptability with the people for the highest offices in their gift. This obstacle being removed, the mere question of policy remains. In my opinion, our principles have no chance but with him.

The President's friends, Upshur, Cushing, Wise, Wickliffe and

¹ Upshur wrote July 15, 1843: "If things go on as they are now going, Clay and Van Buren will unite their forces. Each of them would prefer the election of the other to that of any competitor of his politics. What a blessing it would be if the people of the country would learn to think that, in politics as well as in morals, there is a right and a wrong, independent of all considerations of expediency."

Gilmer, were men of no ordinary influence with the masses. On account of the reorganization of the congressional districts, under the new apportionment, Mallory, one of the three State rights congressmen from Virginia, who supported the President, was thrown into Wise's district; but a conspicuous proof was afforded of the strength of the State-rights Whigs in that State by the return of both Wise and Gilmer to Congress in 1843. The history of Mr. Wise's election is especially interesting. He represented the district of Judge Upshur and the President. At the beginning of the last session under Van Buren he stood in such power among the Whigs that Clay exhausted his sweetest language upon him to induce him to accept one of the first missions abroad. As Wise had raised the standard of revolt before Mr. Tyler became president, they could not allege against him that he had been a mere tool of Mr. Tyler. Notwithstanding, on Mr. Tyler's nominating him, at the session of 1842-'3, as minister to France, the Senate rejected him. The insolent action of the Senate aroused Mr. Wise to a just indignation. He fearlessly appealed to his district for vindication. He was opposed by Mr. Hill Carter, of "Shirley," in Charles City, a gentleman of hereditary worth, high intelligence, and one of the most influential Whigs in the State. The result was that Wise defeated Mr. Carter by a large majority, and that, too, though the contested district had been carried for the Whigs in 1840 by 1,400 votes—the largest Whig majority in the State.¹

¹ Richmond *Enquirer*, March 11, 1843, Wise's letter. Wise, in his address, March 6, 1843, says:

"Last fall, after a fever of eight weeks had laid me literally at death's door, the President of the United States visited my sick room, and saw that my situation should forbid my return to the labors and excitements of the Representatives' hall; and he kindly proposed that I would allow him to enable me to retire in such a way as would reinvigorate my health. He begged me, in fact, to say myself what he should do for me in the way of appointment, either at home or abroad. I utterly declined naming any wish of my own, as I had peremptorily declined his tender of the Navy Department, when his cabinet, in 1841, retired. My health was sufficiently restored to allow me to take my seat during the last session, and in the course of it the President voluntarily notified me that he should nominate me to the Senate for the vacant mission to France. My reply was that, after he had nominated me, after the nomination was confirmed, and after the expiration of my congressional career on the 4th of March, 1843, and not before, I would inform him whether I would accept the place or not. My nomination was sent to the senate, and it has been rejected. . . . I am assured that no reasons

About the same time a large meeting of Democrats occurred at Trenton, New Jersey, and nominated Mr. Tyler for the presidency.¹ Mr. Tyler was so magnetic in his personal character that his state occasions exceeded those of any of his predecessors. This was proved again by his trip to Boston to witness the unveiling of the Bunker Hill monument, when the immense crowds that collected at every point of his passage showed that the barrier of party was the only obstacle in his way to the hearts of all the people. Mr. Tyler's wit was so sparkling that he had no equal in happy, off-hand addresses.

Mr. Tyler's policy as to the office-holders was true to himself. Of course he made mistakes in his appointments, but so strict was the supervision that but a single defalcation can be said to have occurred during his presidency. As far back as 1820, Mr. Tyler had voted for the amendment proposed to the Constitution at the time, denying to any senator or representative in Congress any appointment to office during the time for which he was elected, and one year thereafter. Under Jackson, in 1830, he had opposed the appointment of editors to office; and in 1836 he had voted for Calhoun's bill, which proposed to repeal the law of May 15, 1820, vacating every four years certain numerous offices under the government. It was a Whig principle in the canvass, loudly avowed by Clay and his cohorts, that the power of removal must be restricted in some shape or another. Mr. Tyler was from the first disposed to co-operate cordially with the Whigs. In his message of June 1, 1841, he did what no other President had done,—he called the attention of Congress to this delicate duty. He went further, and set an example himself to that body. Mr. Tyler found that Harrison and his cabinet had pledged away offices by the hundreds. To correct this entirely was impossible; nevertheless, he tore up long lists that had been prepared, and declared that he would look only to "superior qualifications." Ewing was offended because the President re-appointed a number of deserving gentlemen that the latter had turned out of the land office.

personal merely to myself were urged in debate against the approval of my nomination. Had such, true and sufficient, been urged, they would have been good. If reasons *personal merely to senators themselves* were urged, I must be permitted to say that they did not become *senators*, however worthy they may have been of *men*."

¹ *Ibid.*, February 23, 1843.

He checked the bloodthirsty Granger, who made it an open boast in Congress that he had turned out seventeen hundred postmasters, and if Mr. Tyler had permitted him to remain three weeks longer, would have made it an even three thousand. Once more, in his regular message, December 7, 1841, did Mr. Tyler urge the subject upon Congress. "Nothing should be left to discretion," said he, "which may be safely regulated by law." THAT was patriotically and truly said. But Congress did nothing. The State-rights Whigs in the House were the only division that showed any disposition to redeem their pledges made to the people in the canvass of 1840. Wise introduced a bill to establish a government printing press, now so happily in existence at Washington; and Gilmer made a report recommending various retrenchments in the civil service, and requiring the President to render a reason for every removal.¹ But Clay, who ruled the Whigs with a rod of iron, did not wish any abatement of the evil. The great body of the office-holders were opposed to Mr. Tyler, and could be readily employed against him in effecting the reduction of the executive castle. Every expedient that Congress could devise to humiliate and mortify the executive was resorted to. The executive printing was taken from the *Madisonian* and let out on contract, while great jobs were given to the *Intelligencer* and the *Globe*.² Congress appropriated no money to provide the White

¹ The following is from a long letter, written by Mr. Gilmer in the summer of 1843:

"Soon after the commencement of the extra-session, a select committee was appointed, on my motion, to investigate the various departments of the government, to enquire whether the expenditures of the government could be reduced, the patronage of the executive diminished, and to report such measures of reform as our examination might suggest. After making as thorough an examination of the Departments at Washington, and of the other branches of the public service, as our duties would permit, it was recommended to abolish the franking privilege, to regulate and reduce the mileage, to reduce the expenditures, to abolish certain illegal usages and many useless offices in the departments, to introduce a new system for the examination and appointment of clerks and other officers in the departments, to require a more rigid and detailed statement of expenditures, to institute a more responsible system of accounts, and to require the President to report to the Senate the reasons of every removal from office, etc., etc. The journal and events of the 27th Congress will explain why these measures were not acted on. Leading members of the majority objected to even the printing of an extra number of the various reports from the retrenchment committee."

² In its issue of 9th June, 1842, the *Madisonian*, John Jones, editor, made the

House during the whole administration; and even the pay for the lights and fuel on state occasions had to be met by the President.

Mr. Tyler's conduct during his whole administration as to persons in office was governed by the conscientious purpose of removing no officer except for unfaithfulness or inability, or except where its exercise appeared necessary in order to save his public measures from the active partisanship of those who held office at his will. True, removals were not infrequent under Mr. Tyler; but we must judge of him, not by the times of Monroe, who had only to maintain the status of things existing when he came into office, but by those that preceded him, and have followed him to this day. Mr. Monroe was fortified by the example of all his predecessors. Mr. Tyler had to breast the flood of corruption which Adams had inaugurated in the spoils and swindles of the American system, and which Van Buren, the central figure of our history in the *hocus-pocus* of magic during the twelve years succeeding, had worked up into the maddened fury of a storm, despite every effort of Mr. Tyler, as senator, to restrain him. The position of Mr. Tyler between the two parties made the office-holders look to Clay and Van Buren as their leaders. The office-holders of Van Buren were admittedly corrupt; and for the President to sit still and smile as they cut his throat, or resort, as Adams might have done, to a "Diary," to revile everything on earth in order to view himself in the pleasing aspect of an impotent martyr, would not have cured the difficulty. The active interference of the office-holders in elections would have been promoted by *that*. They would just as readily have taken the cue from some one else as from the President. There was only one remedy. Congress must muzzle both the President and office-holders; otherwise the evil was only aggravated.

The Whigs, however, would by no means agree to that; and so the President had no alternative but at times to decapitate the official heads of the rascals—the secret owners of newspapers in Clay's interest, or the presidents of clubs of office-holders, organized to

following plaint: "We are charged with being mercenary. It is said that our services are rendered for gold. These assertions are not true. The executive printing has been a mere pittance, and that has been wholly taken from us by Congress. Blanks had been printed by the *Globe* years ahead. We have sacrificed our entire fortune in our zeal to defend an upright administration."

push the cause of Van Buren, or rampant politicians, adepts at the wires, who courted martyrdom in expectation of greater future advancement.

Still, despite all the unexampled agitations which marked the period, and which offered every excuse for severity, the administration to the end struggled against the active partisanship of at least nine-tenths of those who professed to hold office under it. Never was such a spectacle tolerated before or since.¹

¹ In an editorial of July 21, 1843, the *Madisonian* ably repelled the charge of an abuse of patronage: "Knowing full well the settled opposition of the country to a spirit of proscription, his enemies charge him (the President) with this odious stigma, and to deepen the stain they accuse him of prostituting his constitutional power of removal from office by a sweeping proscription to subserve selfish and vindictive feelings.

"To disprove this gratuitous and base imputation, we have only to appeal to facts. Look at the collectors, naval officers, surveyors, appraisers, and the long list of subordinates attached to the custom houses; look at the marshalls, district attorneys, registers of the land office, receivers; look at the twelve or fifteen thousand postmasters; look through the great departments at the seat of government; look at the whole diplomatic corps abroad; look through the entire range of Federal officers, and by whom are they filled? by the friends of the President or by his adversaries? Nineteen-twentieths of them are opposed to him, and a large proportion of that number are known to be the avowed advocates of his bitter revilers. Does this look like proscription? Who has the President removed from office whose delinquency and disqualification did not make it an act of public duty? Where are the victims of his power and proscription? They are to be found only among the fabricated tales of his adversaries. Who has ever had more abundant cause to be provoked to the commission of proscriptive power? Who ever had such obstacles to contend with, not only from the unaided resources of the officers of government generally, but from their opposition. And yet has he borne all this rather than subject himself to the imputation of abusing his power and indulging in a persecuting spirit that never had an abiding place in his bosom. His virtues have been perverted into crimes lest he should be considered honest and just."

In November 1843, the *Madisonian* declared again: "With but few exceptions, each one admitting of the most ample justification, the great body of office holders is unchanged. Among them are some of the bitterest revilers and most active enemies, secret or open, of the present executive, whose removal would not be proscription, while his own friends in office, if either of the favorite candidates of the papers (*Globe* and *Intelligencer*) which we have mentioned should succeed, are doomed to certain expulsion."

In May, 1844, the *Madisonian* was emphatic in denial:—

"And we say, without fear of contradiction, that the majority, and large majority, of the offices of the country are now, and always have been, in the hands of Mr. Van Buren's and Mr. Clay's friends. This article is written by Blair, with the knowledge of the fact under his nose, that enemies to the President are at the head of almost every bureau in Washington; that out of six hundred clerks in

The Senate went further than to excite a proper surveillance over the nominations of the President. No man now could be found hardy enough to deny the fitness of Cushing, Wise, Spencer, Henshaw, or Porter, for any office under the government. Yet they were all regularly rejected by a majority composed of Whigs and *loco-focos*. The State-rights Whigs and Democrats invariably voted for them. If the gravest senators, like Crittenden, hesitated not to say that the ratification of the appointment of Wise to Brazil proceeded from the wish on the part of some "to reduce him to so inferior a position,"¹ who could doubt that this was the animating principle of all the other rejections? The Whigs closed their eyes to the fact that the President was only one among many thousand anti-Bank Whigs, and denounced every man who dared to accept office under him as a mere bought up tool! The Senate, indeed, carried their power of rejection to a virtual usurpation of the power of appointment itself. Before me lies a list of persons rejected at the Van Buren Congress in 1843-'4, and on it is endorsed, in the President's hand-writing: "These men were rejected because they supported my administration." Mr. Tyler, on the contrary, as senator, in the heyday of his opposition to Jackson, had given his approval, as far as possible, to his nominations.

But there were depths in Mr. Tyler's sagacity that proved too much for Congress, the office-holders, and Clay and Van Buren combined. His friends held State conventions in nearly all the States, and the question arose among them whether they should take their chances by going into the Democratic National Convention, or hold a national convention of their own. The decision was held in abeyance until the President advised the latter course. This was after the publication of the anti-Texas letter of Clay and Van Buren, when the Tyler organization, under the cry of "Tyler and Texas," was given an immense impetus.² "Go to Baltimore,"

the departments, scarcely fifty real Tyler men are to be found; that almost every important office in the great State of New York is in the hands of these anti-Texas gentlemen."

¹ Coleman's Crittenden, i., page 216.

² The *Madisonian* said, two days before Mr. Tyler's nomination:

"We fear not to assert that the popular demonstrations in behalf of 'Tyler and Texas,' during the last two months, have exceeded in number and magnitude the evidence of popularity exhibited in favor of any Republican candidate since 1840."

he said, "make your nomination, and then go home, and leave the thing to work its own results."

Accordingly, away to Baltimore Mr. Tyler's friends went. Clay had delayed his letter till four days before the meeting of the Whig convention. In his letter, which was written from Raleigh, he pretended that it was there for the first time during his electioneering tour that he had found an opportunity of committing to paper his ideas on annexation; yet, in the same breath, he declared that he forebore an earlier expression of sentiment upon the question because he did not wish to add another to the exciting subjects which then distracted the popular mind. Writers in the *Enquirer* asserted that it was well known that upon more than one occasion in his popular harangues Clay was distinctly questioned as to his opinions upon the proposed annexation, and as often evaded the enquiry or declined peremptorily to answer.¹ Clay showed his hand only when the possibility of a rival was out of question.

Van Buren had to run the gauntlet for a month. Cass and Johnson came out for Texas, and Mr. Ritchie, the veteran editor of the *Enquirer*, sent terror into Van Buren's heart by procuring the release of the Virginia delegates from their instructions. In the Democratic convention of May 27, 1844, Van Buren had a majority, but not two-thirds. His adherents accordingly proposed to break down the ancient rule of the Democratic convention, and make a majority suffice for the presidential nomination. A long and exciting debate arose, yet Van Buren's friends had the majority, and they had little else to do but to vote the restriction down. Nevertheless, on the question the rule was enforced by one hundred and forty-eight to one hundred and eighteen against it. What was the cause of this?

In Baltimore, on the same day, Mr. Tyler's friends assembled in convention. There was no hesitation there. The hall rang with "John Tyler and Texas" from more than a thousand throats. In Adams' Memoirs we read:

The issue is precipitated by its bearing on the approaching presidential election. It is John Tyler's last card for a popular whirlwind to carry him

¹ See articles in *Enquirer*, May 7, 1844, signed Randolph of Roanoke, highly endorsed by Ritchie.

through; and he has played it with equal intrepidity and address. He has compelled Clay and Van Buren to stake their last chances upon opposition *now*, and has forced himself upon the whole Democracy as their exclusive candidate for the presidency next December.

If not as their "exclusive candidate," Mr. Tyler had undoubtedly forced himself upon the Democracy as the exclusive dictator of their policy. Although the majority of the convention were Van Burenites, they adopted both a candidate and a platform for immediate annexation. The choice of the convention fell upon James K. Polk, who combined the two elements essential for unanimity. He was a *loco-foco*, but a Texas man also.

Silas Wright, of New York, was nominated by the Democrats as vice-president, and this was another concession to the discontented Van Burenites. But Wright was anti-Texas, and could not accept. Then Dallas was nominated in his place. It is remarkable that Wright's nomination afforded an exact parallel with Mr. Tyler's nomination in 1840. In each case the convention took a representative statesman for the second office, while they look to mere availability in filling the first position.

I do not mean to reflect on Mr. Polk by that remark. I mean to say that men in filling the vice-presidency took a true representative of principle, and he of course was apt to be the leading statesman of the minority. In 1840, the State-rights Whigs selected Clay as the available candidate for the presidency; the anti-Masons, however, objected, and the nomination of Harrison was the result. Mr. Polk was an able, experienced and distinguished statesman, but he did not represent his own idea—*loco-focoism*; he represented Texas. Wright, on the other hand, was the genuine *loco-foco* candidate, nominated to reconcile the Van Burenites. Between the two, Wright was probably the best known.

Mr. Tyler's victory was so complete that the Democrats could not adopt the Whig policy of 1840, of declining to publish a platform to the country. The condition of the party was precarious. In 1842, when all the old Jackson elements of 1828 were united, the Democrats had, as in the latter year, swept the country. The intolerance of the Van Burenites since that day had not only driven off the State rights Whigs, but had alienated large bodies of the friends of Cass and Calhoun. In the following year, the Whigs had retrieved many of their former reverses.

The following is an interesting extract from a letter written by the President to Mr. Wise a few years later:

[JOHN TYLER TO HENRY A. WISE.]

Texas was the great scheme that occupied me. The delegates to the Democratic convention, or a very large majority of them, had been elected under implied pledges to sustain Van Buren. After his letter repudiating annexation, a revulsion had become obvious, but how far it was to operate it was not possible to say. A majority of the delegates at least were believed still to remain in his favor. If he was nominated, the game to be played for Texas was all as one over. What was to be done?

My friends advised me to remain at rest, and take my chances in the Democratic convention. It was impossible to do so. If I suffered my name to be used in that convention, then I become bound to sustain the nomination, even if Mr. Van Buren was the nominee. This could not be. I chose to run no hazard, but to raise the banner of Texas, and convoke my friends to sustain it. This was but a few weeks before the meeting of the convention. To my surprise, the notice which was thus issued brought together a thousand delegates, and from every State in the Union. Many called on me on their way to Baltimore to receive my views. My instructions were, "Go to Baltimore, make your nomination, and then go home, and leave the thing to work its own results." I said no more, and was obeyed. The Democratic convention felt the move. A Texan man or defeat was the choice left,—and they took a Texan man. My withdrawal at a suitable time took place, and the result was soon before the world. I acted to ensure the success of a great measure, and I acted not altogether without effect. In so doing I kept my own secrets; to have divulged my purposes would have been to have defeated them.

It was a good joke to hear Mr. Tyler's convention denounced as "chiefly composed of office-holders and office-seekers" by the set of cormorants that gathered together in the Democratic and Whig assemblies. Every one knew what *party* meant; but there was still room to believe that in a man's *personal following* considerations of personal affection and esteem might prevail. "Spoils" were the cement of the great parties; and any man-of-straw, be his principles or his motives what they might, would receive their support for the presidency, provided by some *hocus-pocus* he got the endorsement of the "bosses" in the convention. Mr. Tyler's slanderers reduced themselves to this dilemma: either Mr. Tyler was the weakest or the strongest candidate. If the weakest, then it is inconceivable that "spoils hunters" should have clung to his support in view of the speedy termination of his official power and the certainty of their destruction. If the strongest, then the imputations as to the character of his supporters ceases to have any force.

Unlike the letters of Clay and Van Buren on Texas, Mr. Tyler's letter of acceptance responded directly to the issue. He had nothing to explain. He was like himself always,—straightforward and consistent. He did not express himself as Clay and Van Buren had done,—as neither heartily in favor of annexation nor heartily opposed, *two* in favor of it and *three* against it. He did not consume long columns in the *Madisonian*, attempting in vain, like Clay and Van Buren, to reconcile past zeal for Texas with present opposition. No; he wrote a plain, fair, and honest response, reciting the trials of his office; his resolve from the first to incur the most violent assaults rather than sacrifice his conscience; the savage attacks made upon him by the Whigs; the equally abusive treatment of the Van Burenites; the necessity thus arising of forming a separate organization in self-defense; the success of that organization, as instanced in numerous meetings of the people in their primary assemblies, "in many instances embracing thousands," and in the coming together of a national convention of more than a thousand delegates.

BALTIMORE, *May 28, 1844.*

SIR: The undersigned, a committee appointed for that purpose, have the honor of informing you that a Democratic convention, composed of delegates from the different States of the Union, have unanimously nominated you as a candidate for the next presidency. Actuated by a sincere desire to promote the great principles of democracy, and in conformity with the expressed wishes of their constituents in all portions of our country, they cordially and confidently present your name as the people's candidate for the highest office within their gift. Thus acting in accordance with the will of the people, they feel that they have bestowed their confidence upon one who, throughout a long and eventful career, in the discharge of high public trusts, has ever been found true to their dearest rights and best interests. While they feel conscious that they have thus faithfully discharged the high trust reposed in them by their constituents, they hesitate not to express the conviction that the people will, by their united voices, sustain a candidate whose whole life has been devoted to republican principles, and who, in the midst of the most trying and eventful circumstances, has always shown that *firmness* which is ever found in the honest man and true patriot. We have tried you long—we are yet willing to try you longer.

Respectfully,

THO. T. CROPPER, VA.

THO. M. HOPE, ILL.

AMOS HOLAHAN, PA.

WM. F. P. TAYLOR, N. Y.

JAMES W. CROOKS, MISS.

Hon. John Tyler, Washington, D. C.

WASHINGTON, *May 30, 1844.*

GENTLEMEN: Your letter of the 28th instant, announcing to me my nomination for the presidency for the next four years from the 4th of March next, by a Democratic convention held in Baltimore on the 27th of the present month, and delegated by no inconsiderable portion of the people in every State of the Union, demands my warmest acknowledgments. I have not been an inattentive observer of the course of public opinion in my favor, as manifested in numerous primary assemblies, announced by the proceedings and resolutions of large masses of the people, in most of the States of the Union, and to which the delegates lately assembled in Baltimore have so promptly responded; and I beg to assure you, gentlemen, that I am not deficient in due sensibility upon the occasion.

Since my accession to the presidency I have had to encounter trials of no ordinary character. A great experiment was, under Providence, committed to my hands. It was no other than a test as to the sufficiency of our institutions to meet the contingency which for the first time had occurred in our history, of the death of the president, and the succession of a vice-president to the administration of public affairs. In entering upon the office I had to decide the question whether I would surrender honor, judgment, conscience, and the right of an independent mind, into the hands of a party majority, in whose views and opinions, it became very soon obvious, I could not concur without such surrender; or whether I should brave all consequences in the vindication of the constitutional rights of the executive, and in the discharge of the most sacred obligations of duty to the country. By adopting the first course, I was perfectly aware that my presidential term would throughout be peaceable and tranquil, and that I should receive the zealous and ardent support of a controlling and dominant party; by pursuing the latter, I should incur the most violent denunciations, the bitterest reproaches, the most unrelenting persecutions, while I could look to no active support from any engaged in the administration of public affairs. The one party, bold and triumphant from the recent exhibition of its strength in the election of 1840, was likely to brook no opposition to its will, no matter upon what reason such opposition might proceed; while the other, still smarting under the signal defeat of its leaders, would not be well inclined to look favorably on one who had, in no small degree, been instrumental in bringing about that defeat. In the meantime I should be left without the means of defense against false ascriptions of motive and base assaults upon my character, which would be reverberated throughout the Union by the affiliated presses, while I should find but a most circumscribed defense in the columns of a single newspaper, and that, at the time, of a limited circulation. Under all these appalling circumstances, I had to make my election between peace, comfort and tranquillity on the one side, and the stern and solemn obligations of duty on the other; the first to be obtained by a sacrifice of opinions long cherished, a surrender of the rights of conscience, an abandonment of the obligations arising from my oath of office to support and uphold the Constitution, the loss of my own self-respect, the scorn of all honorable and fair thinking men, the curses of the present day and the anathemas of futurity—the last to be performed amid

the thunders of denunciation and the bitterest outpourings of malice. In choosing between these alternatives, I did not hesitate a moment. The country is aware of what followed. Bills were sent up from Congress for my approval which I regarded as violations of the Constitution. They were vetoed. I preferred denunciation to perjury—the anathemas of the moment to bearing in my bosom a Promethean vulture to tear and to devour me. I was immediately loudly and violently denounced by the Whig press; manifestoes were hurled at my head; articles of impeachment, showing alone the malice and weakness in which they originated, were moved against me in the House of Representatives. Every harsh appellation was employed in connection with my name; mobs assembled at midnight at the doors of the presidential mansion, and the light of burning effigies threw its glare along the streets of some of the cities. Such were the consequences which followed the vetoes. Under these circumstances, my reliance was placed upon the people. To them I looked for justification and support. Nor was it denied. The congressional elections, which shortly afterwards followed, furnished that justification and gave promise of that support. A large Whig majority in the House of Representatives was swept out of existence, and a still larger Democratic majority was made to occupy its place. The political battle was fought on the issues which duty had compelled me to raise, and an opinion more decisive upon those issues had never taken place. Many of those who had voted for General Harrison and myself, whose political opinions were coincident with my own, united with the Democratic party, and assisted in achieving so great a revolution.

But, unhappily for me, the leaders of the Democratic party, through the public press, from motives altogether too obvious, deemed it necessary, without any cause whatever connected with the public administration, to open their attacks upon me, and, forming an alliance with the rabid Whig press, levelled at me the most vindictive assaults. These assaults have been continued on the part of the high contracting parties from 1842 to the present time, with only a momentary intermission. The generous and high-minded men who either defended me in public, or came to my aid in the administration, were treated by both parties with a proud and haughty disdain. If those friends had voted for General Harrison and myself in 1840, they were expelled by the Whig party; if they had voted for Mr. Van Buren, the doors of Tammany Hall were shut against them. They sought no place in the conventions of either party—and nothing was ultimately left them but to band themselves together—to adopt their own organization, and to make their appeal to the intelligence of the people. How that appeal was received is best answered by referring to the numerous meetings of the people in their primary assemblies, in many instances embracing thousands, who, waiting for no conventions, have nominated me to their fellow-citizens as their candidate for the presidency, and sent up to Baltimore for the purpose of comparison of views with persons from other sections, delegates to a Democratic convention, whose proceedings have ratified and confirmed the proceedings of their constituents.

I do not feel myself at liberty to decline the nomination tendered me under

such circumstances. There is much in the present condition of the country which would forbid my doing so. My name has become inseparably connected with the great question of the annexation of Texas to the Union. In originating and concluding that negotiation I had anticipated the cordial co-operation of two gentlemen, both of whom were most prominent in the public mind as candidates for the presidency. That co-operation would have been attended with the immediate withdrawal of my name from the question of the succession. In the consummation of that measure, the aspirations of my ambition would have been complete. I should have felt that, as an instrument of Providence, I would have been able in accomplishing for my country the greatest possible good. The poor and contemptible desire to be in office for the mere sake of office, however exalted, would have had no effect upon me. But such was not the case. Where I had reason to expect support, I have met with stern, and for aught I know, unrelenting opposition. My motives have once more been most violently assailed, and matters have proceeded to such an extremity that the opinion of a learned jurist of the State of New York has been obtained, and is now published to the world, that I have made myself the legitimate subject of impeachment for having negotiated the treaty of annexation, and sought to carry it out by measures which seemed to me to be imperatively called for by honor, by justice, and every consideration of public duty.

I am, therefore, left no alternative. I shall shrink from no responsibility; shall seek to appease no spirit of discontent. If annexation is to be accomplished, it must, I am convinced, be done immediately. Texas is in no condition to delay. She will not stake her interests upon possible but remote contingencies. If the present treaty should be ratified, or any measure in any other form shall be presented which will result in success at the present session of Congress, you will leave me at liberty, gentlemen, to pursue the course in regard to the nomination which you have communicated to me that my sense of what is due to myself and the country may seem to require. The question with me is between Texas and the presidency. The latter, even if within my grasp, would not for a moment be permitted to stand in the way of the first. But, in the present posture of affairs, I can waive no responsibility.

You do me nothing but justice in ascribing to me a firm and unshaken purpose to uphold the political principles which were sanctioned by Jefferson, and consecrated by his immediate successors. I yield to no man in the sincerity of my devotion to them; and while I remain at the head of the government, it will be my continued effort to sustain and advance them.

Be pleased to accept assurances of my high regard and esteem.

JOHN TYLER.

In the above letter Mr. Tyler alludes to the opinion of a learned jurist of New York, which had been sought and obtained to establish his responsibility to impeachment for "having negotiated the treaty of annexation, and sought to carry it out by measures

which seemed imperatively called for by honor, by justice, and every consideration of public duty." The Whigs and *locos* in the House banded together against Mr. Tyler, and revived the dismal joke of an impeachment. Even gravity itself was provoked to storms of laughter at the formidable strict construction fever that now occupied the most notorious Federalists in the land. Men whose harlotry was betrayed to the world in the most gaudy colors of Federalism now affected to mince the air and pruderies of the virtuous old maid of strict construction. Men who believed that the Constitution permitted any latitude of action from the improvement of the most ice-locked creek in Maine to the emancipation of slaves on the Lord Dunmore-Lincoln policy by military ukase; Federalists, dyed in-the-wool, who argued, in face of all the facts of history, that the peoples of the Union were *one* people, and whose limitation was bounded by the "general welfare clause" alone; zealots, who had set up a higher law against even the Constitution itself, shrieked themselves hoarse about the letter and spirit of the Constitution. The President had not stepped an inch beyond his constitutional powers. Under his authority, as commander-in-chief of the army and navy, he had concentrated forces on the borders of Texas, and a fleet in the Gulf of Mexico. The orders from the departments confined them strictly to a duty of observation merely, and it was stated expressly that their reports would be submitted to Congress for its "mature deliberation." The executive neither made war nor declared war, but in face of the formal notice of Mexico, that the signing of the treaty would be followed immediately by war, to have done less would have been the height of folly. The learned jurist of New York referred to by the President was James Kent. But his own "Commentaries," which made the common law a part of the Constitution, did no more agree with his ill-natured attempt to pose before the country as a strict constructionist in recommending impeachment than the reference he made to the authority of Story, who pointed to the cases of Stafford and Strafford in English history to inculcate a lesson of caution on the subject. But Kent, the Federalist, had an illustrious example in Thomas W. Dorr, the Rhode Island rebel and *loco-foco*, who, nine months previous, complained that, in view of the "outrage" Mr. Tyler had committed in suppressing his disturbances, "no Democrat can

feel a disposition to perpetuate such an ignoble faction as that of Mr. Tyler." (!)¹

Had President Tyler overstepped the Constitution, some excuse might be found for him in the fact, that it was not in the cause of such ignoble measures as the nullification of the Federal laws of embargo, or in encouraging our seamen to purchase licenses from the British government to navigate the ocean, or in crippling his own country in a war with a foreign nation, or in pursuing sectional improvement, tariff, and road and canal schemes to the ruin of other sections,—oh no! it was in promoting, like Jefferson, the common glory of the Union, in extending its domain, in settling its boundaries, in suppressing its disturbances, in really and honestly attempting to preserve the country in the spirit of the fathers. No man could truthfully say that, throughout his whole life, Mr. Tyler had ever, by a single vote, filched a dollar out of any man's pocket; and if he had defended his constituents from the plunder and robberies of the North, who could say that this was done in a sectional spirit?²

And yet these fine-feathered patriots presumed, in their charming manner, to stigmatize the treaty negotiated with Texas as the work of intrigue and Texan land-speculators and scrip-holders.³ Intrigue, indeed! speculation!—and this to be charged by the men who, previous to Mr. Tyler's accession, had reduced intrigue to an art in the manipulation of river and harbor bills, road and army contracts, land purchases in the West,—birds of the lobby and swindlers in the custom-houses,—men whose brass had been so appalling as to reverse the very records of history in the canvass of 1840.

¹ Niles, lxx., p. 20.

² Prof. W. G. Sumner, of Yale College, says: "The grievance of the South in 1828 is undeniable. So long as the exports of the country were almost exclusively Southern products, —cotton and tobacco,—and so long as the Federal revenue was almost entirely derived from duties on imports, it is certain that Southern industries either supported the Federal government or paid tribute to the Northern manufacturers. The Southerner could not even get a hearing or patient and proper study of the economic questions at issue."—*Sumner's Andrew Jackson*, p. 210.

³ "No intrigue has been set on foot to accomplish it. Texas herself wills it, and the executive of the United States, concurring with her, has seen no sufficient reason to avoid the consummation of an act esteemed to be so desirable by both."—*Tyler's Texas Message*.

So tender a regard for the Constitution had Jefferson that, though this government was vested with the most ample powers to acquire territory, he, almost alone of his party, wished to justify the annexation of Louisiana by an amendment of the Constitution expressly authorizing the same. The debates in the convention of 1787 were not published until long after this, or Mr. Jefferson himself would have saved his doubts. But if a strict constructionist of so faithful a character could run into latitudinarianism, in the face of his pride and his doctrines, what did it prove but that the Federalists, who had neither pride nor doctrines, would forget that such an institution ever existed? In the practice of our government strict construction was the broad and general doctrine, and latitudinarianism the narrow, the local, sectional, interested, and unjust one. The cold-hearted selfishness of the opposition found a fitting travesty in the annexation, under New England domination, of the icebergs of Russian America, which were voted for by some of those very debaters who at this time held up their hands in holy horror against the clearest intention of the Constitution, and adduced all sorts of narrow arguments to frighten the people, lest we might annex China and Japan to our republic!—as if the treaty-making power, however unrestricted, would not find the proper limitation in the infrequency of its exercise and the circumstances of its application.

Twelve days after the Democratic convention the Senate voted upon the treaty; but the result had been long anticipated. Never before had politicians made such sharp turns around the corners. The address of the Democratic Central Committee of Virginia, written by Thomas Ritchie, gave a graphic account of the state of affairs which had preceded the letters of the candidates.¹ The people of Virginia had appeared to be of one mind. Primary assemblies of the people, without distinction of party, had announced their approbation of an immediate movement for annexation. After the treaty became known, rumors were frequent that it would receive the unanimous ratification of the Senate. "To the astonishment of the whole nation," both Mr. Clay and Mr. Van Buren had declared against Texas. Then the men who were lately so loud in favor of Texas were seen holding public

¹ *Enquirer*, May 10, 1844.

meetings and uniting to compel the rejection of the treaty by the Senate. The *Globe*, so lately a friend, began to exert its ingenuity to ascribe all sorts of motives to its originators. The peculiar friends of Mr. Clay and Mr. Van Buren in the Senate united on the question as they had on other important subjects. The senators threw their pledges to the winds; and instead of the record showing a vote of two-thirds in favor of the treaty, the result was precisely the reverse; out of the vote cast only sixteen voted for the treaty, while thirty-five voted against it. Half of the thirty-five, however, had to admit that they favored annexation, though they excused themselves as against the method taken by Mr. Tyler.

The worst apprehensions of the President arising from the appointment of Calhoun had been realized.

The fate which befell the Texas treaty befell another great treaty, which Mr. Tyler had caused to be negotiated in the interest of the tobacco trade of the country (in which Virginia was so largely interested) with the Zollverein States of Germany. This treaty presented the very first occasion that a disposition had been shown by any foreign nation to relax the restrictions imposed upon our tobacco. That article, ever since the Revolution, had borne the brunt of all taxes and duties; now a chance was given to do it justice. Instead of this Congress laid the treaty on the table, and allowed it to expire of its own limitation.

The perfidious conspirators had used their daggers bravely. But there are more things that have ghosts than men. McDuffie, in the Senate, had replied to a speech of Benton, and told him that the ghost of the murdered Texas treaty would be a Cæsar to meet him at Philippi. Indeed the politicians had reason—

“To fear it all the more,
For lying there so still;
There was manhood in its look,
That murder could not kill.”

On the 26th of June, 1844, the President of the United States was married to Miss Julia Gardiner, of New York, daughter of Hon. David Gardiner, a member of the New York State Senate, and one of the victims of the Princeton disaster.

The following letters are interesting :

[HENRY WHEATON TO PRESIDENT TYLER.]

[*Private.*]

BERLIN, *March 27, 1844.*

MY DEAR SIR: I have the satisfaction to inform you that I have at last succeeded in concluding a commercial arrangement with the Germanic Customs Association, on the basis of the note exchanged with the Prussian minister of Foreign Affairs, and in pursuance of your instructions through the Secretary of State. In respect to the details of the arrangement, I beg you to believe that I have used my best exertion to obtain as much and concede as little as possible, and to overcome the difficulties presented by the necessity of providing for so many various interests as those combined in the German commercial league. The grounds upon which I have proceeded in the negotiation will be found to be fully explained in my dispatch of this date to the Secretary of State, and in the preceding dispatches therein referred to, all of which it will be necessary to communicate to the Senate, together with the convention, should you think fit to communicate it to that body for ratification.

I have also addressed to the Secretary of State, under date of the 10th March, a separate dispatch, marked *private*, containing my reasons for concluding the arrangement in the form of a convention, no particular form having been prescribed by my instructions.

Should this arrangement be ratified and carried into effect, some of the most objectionable features of our present tariff will be got rid of, and at the same time great advantages secured to our staple articles of cotton, rice, tobacco, and *lard* in the markets of Germany. The last mentioned article is consumed in vast quantities in this country; and I am informed that its exportation is a matter of great importance to our western States.

It appears to me that the most advantageous mode of effecting the desirable modification in our existing tariff is by diplomatic arrangements, since we may in this mode secure from other nations equivalent concessions for the reduction of duties on their produce and manufactures. Whereas, if we reduce these duties by general acts of legislation, independent of the action of foreign powers, we obtain nothing from them in return, and they will not even thank us for the boon.

On examining the proposed convention, you will perceive that the reductions stipulated by us are principally applied to those articles which were left free by the compromise act of 1833, on which excessive duties have been subsequently imposed, and which are now proposed to be reduced to ten, fifteen, and twenty per cent. *ad valorem*. I do not see how those States of our Union peculiarly interested in home manufactures can reasonably refuse such a concession to the agricultural States of the South and West, especially when their own commercial and navigating interests will be essentially promoted by the arrangement. I should think a strong appeal might be made on this ground to the sense of justice, and even of interest, in the North. Whatever may be thought of the policy of *protecting*, by duties

carried beyond what is necessary for revenue, branches of manufacture which already exist, and might perish for want of that protection, it surely cannot be wise to attempt to force into existence new branches, at the expense of the agricultural, commercial, and navigating interests of the country, as well as the general interests of the great body of consumers.

You will also observe that both the contracting parties are left perfectly at liberty to make similar concessions to other powers, with or without equivalents. Even should the German league exercise this reserve, by extending the reductions of duties on *our* tobacco to *all* foreign tobacco, our object would still be to a great measure obtained. We should still profit by the reductions on tobacco in proportion to the quantity we imported into the *Zollverein*, whilst the stipulations against increasing the present duties on *rice*, and exempting *cotton* from all duties whatever, would still remain in full force. On the other hand, if we should exercise the reverse, by extending the reductions stipulated on our side in favor of the silks, linens, wines, etc., of Germany to the same productions of any or all other nations, there would, in my opinion, be no harm in it, and it might even be attended with great benefit, if we should thereby obtain equivalent concessions from others in favor of our staple articles.

I may perhaps exaggerate the importance of this transaction; but it appears to me, that if the proposed arrangement is approved by the Senate, it will form a new era in (what may be called) international commercial legislation; that the example set by the United States and Germany, of mutual concession in favor of free trade, will be followed by other powers of Europe and America, until the fetters which now bind the industrious faculties of nations shall be broken, and all obstacles removed to that liberal intercourse with each other, by which their greatest possible progress in wealth and its attendant prosperity can alone be attained. Should this fond hope be realized, it will be to you, sir, a source of virtuous and honorable satisfaction that this era will have coincided with your administration of our national affairs, and that your efforts will have essentially contributed to produce a result so desirable.

This brings me to the subject of the last letter I had the honor to address you on the 28th February, respecting the expediency of entering, without delay, upon negotiations with France for the revision of our present laws concerning navigation and commerce with that power. Should it be your intention, as our late lamented friend, Mr. Upshur, intimated to me through Mr. Mark, to present my name to the Senate for that mission, I beg leave respectfully to state that no unnecessary delay *ought* to be suffered to occur, and none *need* be interposed *on account of our affairs here*, in carrying that intention into effect. Should the convention with the *Zollverein* be ratified, the exchange of the ratifications may be entrusted to the secretary of this legation, it being a mere *form*, to which my signature will not be necessary; and the other minor Germanic affairs in which I am engaged will all be disposed of in the course of the month of May.

Should you think fit to give me this additional proof of your confidence, I shall endeavor to merit it by the most strenuous exertion of all my faculties

to accomplish your wishes in regard to the objects to be obtained by negotiation with France.

I sympathise with you most sincerely, sir, on the inestimable loss you have sustained in the sudden and violent death of our late distinguished friend, Mr. Upshur, of whose abilities and integrity I had formed a high idea from his correspondence and from the general voice. In him you have lost a faithful friend, an honest adviser, and a zealous fellow-laborer in the public service, whose place will not be easily supplied. The ways of Providence are dark and mysterious, and we can only bow in humble submission to that fearful dispensation which teaches us "what shadows we are, and what shadows we pursue."

I have the honor to be, my dear sir, very truly and respectfully your faithful friend,

HENRY WHEATON.

[W. R. KING ¹ TO PRESIDENT TYLER.]

PARIS, *Sept.* 13, 1844.

MY DEAR SIR: The climate of France has proved quite unfavorable to my health, and for the last two months I have suffered severely from rheumatism, which has so disabled my hands that I can scarcely hold my pen, or write legibly. I cannot, however, deny myself the pleasure of tendering to you my warm congratulations on the success which has crowned your efforts to conclude a treaty (which senates cannot annul), not less calculated to insure to your happiness as a man, than the treaty for the annexation of Texas, which, if not now, at no distant day, when party prejudice shall have subsided, cannot fail to add to your fame as a patriot and a statesman. Make acceptable to your fair lady my respectful compliments. The threatened rupture between this country and England has terminated as I had predicted. The concessions are mutual, which have drawn down upon the ministry of both countries the most bitter denunciations from the opposition presses, charging them with having basely surrendered the honor of the nations,—a pretty conclusive evidence that the adjustment is based on correct principles. Mr. Guizot has a strong leaning towards England, and Louis Philippe is more than anxious to cultivate the most friendly relations with her; but such is the hostile feelings of the French people, that they dare not, even if they had the disposition, yield anything which England has not the clearest right to exact. The King is a wise and prudent man; perfectly understands his countrymen, and knows full well that any act of his calculated to wound the national pride, would in all probability shake his throne to its very foundation, if it did not terminate the Orleans dynasty. In this state of things, we have nothing to fear from any union of action between these governments. France feels that our friendship is now, and at no distant day may become still more important for her; nor will England, with all her jealousy of our rapid growth in population and wealth, lightly hazard a rupture with us. I was greatly mortified at the craven spirit which was manifested by senators in the discussions on the Texan treaty. The enmity of England was presented in bold

¹ The minister of the United States at Paris.

relief by Choate and others, to frighten the body from its propriety. I had hoped that the bare suggestion would have aroused an American spirit which would have insured the ratification of the treaty ; but unfortunately it proved otherwise, and has tended to lower us in the estimation of Europe, if not in our own. I would write you a long letter, did I not fear further to tax your patience in deciphering such an execrable scroll. I am informed that Frank Rives contemplates relinquishing his situation as Secretary of Legation at London. Should he do so, will you permit me to call your attention to Ligon Corbin, who is, I believe, desirous to obtain the position. Col. Corbin has been so very polite to me since my arrival here that I would be truly gratified could I be instrumental in advancing his brother's application. Your attention to this matter will add to the many favors you have conferred on me, and be most gratefully acknowledged.

With the highest respect, I am truly and faithfully your obedient servant.

WILLIAM R. KING.

CHAPTER XII.

1844—1845.

"A greater victory was never achieved than that already accomplished."—JOHN TYLER:

CALHOUN'S DEJECTION.—ANNEXATION BY JOINT RESOLUTION.—CONGRESS ADJOURNS.—EXCITEMENT IN GREAT BRITAIN.—A PROTEST AGAINST ANNEXATION PREPARED, BUT COUNTERMANDED.—TEXAS IN THE BRITISH PARLIAMENT.—LETTER OF THE BRITISH CHARGÉ IN TEXAS TO ANSON JONES.—MEXICO PREPARES AN ARMY AGAINST TEXAS.—"THE DIPLOMATIC ACT."—MEXICO'S HOSTILITY TO THE UNITED STATES.—MR. TYLER AND THE POLKITES.—HE WITHDRAWS FROM THE CANVASS.—HIS LETTER TO ALEXANDER GARDINER.—HIS LETTER OF WITHDRAWAL.—THE PRESIDENTIAL ELECTION.—POLK ELECTED.—VICTORY OF THE PRESIDENT.—CLAY'S TEXAS LETTERS.—HIS VACILLATION.—MEETING OF CONGRESS.—TEXAS IN CONGRESS.—THE HOUSE PASSES THE JOINT RESOLUTIONS.—BATTLE IN THE SENATE.—BALL AT THE WHITE HOUSE.—THE TEXAS RESOLUTIONS PASS THE SENATE.—SIGNED BY THE PRESIDENT.—HE SELECTS BETWEEN THE ALTERNATIVES.—TEXAS ANNEXED TO THE UNION.—THE PRESIDENT'S STATEMENT OF HIS LAST HOURS.—HIS TRIUMPH.—SCENE AT THE WHITE HOUSE.—LETTERS OF ALEXANDER GARDINER AND MRS. TYLER.

IN May, 1844, rumors were current that Mr. Calhoun was to retire from the cabinet, on account of an alleged difference between himself and the President.¹ Mr. Calhoun himself has said that he strongly remonstrated with his friends against accepting office under Mr. Tyler, because of his want of party support in the two Houses of Congress. "It appeared to him to be a very unpropitious moment to carry through so important a measure" as the annexation of Texas.²

In a letter dated December 11, 1844, Alexander Gardiner, brother-in-law of the President, wrote as follows: "I presume Mr. Calhoun's chances of being retained [under Mr. Polk], if doubtful, would be stronger in case the question of annexation should stand over to the next Congress. I hope that such considerations will weigh nothing in the minds of his friends, and that

¹ Niles, lxi., p. 192.

² Calhoun's Speeches, iv., p. 333.

the present members will not be so demented as to hazard again the interests of the country on this important measure.”¹

Buchanan, two days later, spoke of the many difficulties that would beset President Polk's footsteps, not the least of which was Mr. Calhoun, whose retention in the office of Secretary of State was ardently desired by many Southern gentlemen influential in obtaining the nomination of Mr. Polk, but which was equally exasperating to Colonel Benton.²

Mr. Pakenham was anxious to take up the Oregon negotiations. The President himself bears evidence to the dejection of Calhoun, that, after the rejection of the Zollverein treaty and the Texas treaty, “there was, in Calhoun's opinion, cause to pause in the further effort at negotiation on any other subject.”³ The private secretary of the President writes that this dejection of spirits extended to all action on the Texas question until the advent of Mr. Polk. “Calhoun went so far as to advise an entire abandonment of effort on all subjects before them; and the President emphatically declared to me, more than once, that had not Calhoun quickly rallied, he would have immediately asked his resignation. Happily Calhoun's despondency was of brief duration. He soon recovered his spirits and his courage, and, in accordance with the President's wishes, returned to the task of annexation with renewed energy and decision, thus relieving the President from what would have been, in his estimation, a disagreeable yet imperative necessity, in view of his duty to the country.”⁴

The necessity of keeping the subject a secret, to prevent the protests of Great Britain and France, was the reason why annexation by treaty had been preferred. Upshur had designated it the “most proper form”⁵—not the exclusive one.

Robert J. Walker, senator from Mississippi, had suggested, in a letter to the public dated January 7, 1844, the alternative of a joint resolution under the power of Congress “to admit new States.” McDuffie, of South Carolina, on the 22d of May, despairing of the ratification of the treaty then before the Senate, proposed a resolution after the nature of the one suggested by R. J. Walker. At the earliest moment that a due respect to the

¹ Letter to Mrs. Tyler.

² Curtis' Buchanan, i., p. 528.

³ *Dead of the Cabinet*.

⁴ Letter of John Tyler, Jr.

⁵ Niles, lxvi., p. 169.

Senate would permit him to do it after the vote rejecting the treaty, Mr. Tyler submitted it to the House of Representatives, together with the series of papers made public by the Senate, and those from which the veil of secrecy had not been removed.

Mr. Tyler, in this message, answered many of the puerile objections urged against the measure, restated the view in which this government was bound to regard Texas, pronounced it again to be a question addressing itself to the interests of every part of the country, and making its appeal to the glory of the American name, and concluded by saying that, "while he had regarded the annexation to be accomplished by treaty as the most suitable form in which it could be effected, should Congress deem it proper to resort to any other expedient compatible with the Constitution, and likely to accomplish the object, he stood prepared to yield his most prompt and active co-operation."

In the Senate, Mr. Benton attacked the President's message of June 10th with all his weapons. That redoubtable warrior of the Bombastes Furioso order had known no limit to his abuse of England on the Ashburton treaty, and had exhausted himself in portraying her ambitious far-reaching intrigues. Now, however, he sang to a different tune. Nothing could be more honorable than the intentions of that country towards Texas, and nothing more shameless than the course of his own government. The action of the President, in submitting the Texas treaty to the House, was an appeal from the decision of that body; it was an outrage upon its privileges to make public documents from which the Senate had not removed the veil of secrecy. Mr. Benton said that he was for the annexation of Texas, but not as the administration proposed; he had a bill to admit Texas "with the assent of Mexico, or without it whenever the United States should deem such assent unnecessary."

The treachery of Benton stood revealed in the contradictory provisions of his bill, which was intended to reconcile his present opposition to annexation with a wish for future purposes to stand well on that question.

Mr. McDuffie replied to Benton, and said that the documents in question belonged to the executive, and he alone might judge what papers should be transmitted to the House, and what retained. It was known that the President believed that annexation

might be effected in another form, and the Senate had no right, as he was aware, to the final decision of great national questions. What a pitiable contradiction, said McDuffie, in regard to Benton's Texas bill, was contained in the proposition which said to Mexico: "It would be a great outrage to annex Texas; but as Congress deems that consent unnecessary, we shall take Texas whether you give your consent or not."

McDuffie's resolution, however, remained suspended on account of the hostile complexion of Congress; and on the 17th of June, 1844, Congress adjourned until the regular meeting in December.

These were indeed exciting times in the United States. But the excitement was not confined to this country. Possibly no other administration had called forth the same interest abroad that Mr. Tyler's had. The Texas question was, in fact, a struggle between the United States and Great Britain for the control of the Gulf of Mexico. Annexation was the assertion of the Monroe doctrine against the policy of Great Britain to dominate Texas. Judge, then, of the shock of the British ministry when they learned for the first time that all their nice laid plans were imperilled by a treaty negotiated secretly between the United States and Texas. A shell thrown unexpectedly into a fort or citadel could not have produced more general consternation. The French and British governments united in the very protest against annexation which the President had anticipated, but it was countermanded lest it might increase the excitement of the people of the United States.¹ The question was mooted in the British Parliament, and Lord Aberdeen pronounced annexation "a subject quite new and unexampled in the history of nations, which would receive the most serious attention of Her Majesty's government." In allusion to this, the President said, in his message of June 10, 1844, that "a kingdom which had been made what it was by repeated acts of annexation, beginning from the time of the Heptarchy and concluding with the annexation of the kingdoms of Ireland and Scotland," was a pretty example to perceive anything novel or serious in the late proceeding on annexation. But more alarming still, as showing the direct action of the British government on Texas, was a letter of the British *chargé* there to Anson Jones, the Texan Secretary of State, which was published

¹ Yoakum's Texas, ii., p. 428, note ||.

in the papers about this time. This letter spoke in very encouraging tones to Texas, pressed the importance of a separate national existence, and the "incalculably heavy sacrifice" which would be involved in the measure of annexation, and assured the Texan government that, notwithstanding what had passed, it was still in the power of the British government to renew for Texas the negotiation with Mexico upon a *hopeful basis* "by reassuring that government upon a point on which it is justly entitled to expect complete reassurance."¹

How much in need of the aid of the British government the Texas government must have appeared to itself and all the world is readily perceived by now turning to the course pursued by the Mexican president. On receiving news of the treaty, Santa Anna, swelling with rage, made preparations for a vigorous and extensive invasion of Texas. Adrian Woll, the commander at Mier, on the Rio Grande, issued an order that any person, without discrimination as to sex or nationality, who should be found within one league of the left bank of the river, should be shot as a traitor on a summary court martial; and every individual who should be rash enough to fly at the sight of the Mexican troops should be pursued until taken, or put to death. The murder of Fannin and his comrades, and the slaughter of the Texan prisoners, taken at various times, very well indicated the atrocious spirit of this decree. The execution, in June, 1844, of Sentmanat, who had headed a crazy filibustering expedition against Tobasco, one of the departments of Mexico, without hearing or trial, and against the indignant remonstrances of the French and Spanish ministers near the government of Mexico, offered an even more pointed illustration of what was intended.

In view of these hostile indications, Mr. Jones, the Texan Secretary of State, called upon the United States, in August, 1844, to take the necessary steps to cause to be carried into effect the assurances which, as he alleged, had been given to Texas of aid against Mexico. As Jones and Houston had already been informed by the note of John Nelson, of the 11th of March, respecting the narrow limits of the executive powers, and, as Americans born, were indeed well cognizant of them without that information, this call upon Mr. Tyler seemed to look further than

¹ Niles, lxvi. p. 280.

the mere defense of Texas. It appeared too much like the policy pursued with respect to Mr. Murphy in February, 1844. That policy had excited so much suspicion as to furnish the secret motive, independently of their personal merit, for the appointment of Gen. T. A. Howard to Texas in the place of Mr. Murphy, who died of yellow fever at Galveston, in August, 1844, and after Howard's death, of Major A. J. Donelson, both intimate friends of Gen. Jackson and President Houston. Mr. Tyler could not fail to see that it might very well serve the purposes of Captain Elliot to excite the resentment of the Texans against the United States by pretending that this government had not fulfilled what it had promised to fulfil towards the people of Texas. But could the whole veil have been thrown aside from the secrets of the times, the spectacle exhibited would have confirmed the most skeptical in the belief that the executive had not been an hour too soon in proposing and pressing annexation.

It appears that Mr. Ashbel Smith, the Texan *chargé* at Paris, had secretly advised his government of an arrangement whereby, through a "diplomatic act," France, England and Texas, the government parties to it, were to coerce Mexico into an acknowledgment of the independence of Texas, on condition that Texas should forever renounce annexation to the United States. In a letter, dated September 23, 1844, President Houston instructed Auson Jones to forward to Smith the authority required.¹ Had the Secretary obeyed, "annexation," so Jones himself has said, "would have been as completely killed as a man would be by having his head cut off." The contemptuous rejection of his overtures,² by the

¹ Niles, lxxiv., p. 413.

² "In conclusion, General Houston spoke of the subject of annexation, stating that he had shown his partiality for the measure by voting for it in 1836, and dispatching, immediately on his accession to the presidency in that year, a special envoy to bring the subject before the cabinet at Washington, etc. With this statement of fact, General H. said he would have the public infer whether he was opposed to, or in favor of, annexation. It was true, he said, he had *coquetted* a little with Great Britain, and made the United States as jealous of that power as he possibly could; and had it not been, he said, for the eagerness of the Texan Congress in passing and sending to this country a declaration that nine-tenths of the people of Texas were in favor of the measure, he would have so operated on the fears of the American Senate that the prize would slip through their grasp, as to have secured the ratification of the treaty *last spring*."—*Sam Houston at New Orleans*, Niles, lxxviii., May, 1845, p. 230.

American Senate unquestionably justified Houston in looking abroad for the aid which had been denied him here; but to claim, as he did at a later day, in a speech made at New Orleans, in 1845, that he only "coquetted" with England in the interest of annexation, is drawing a little too much on the credulity of history. Certainly, as Mr. Tyler has said, the "diplomatic act" made his "bidding and cooing with England" as "serious a love affair as any in the calendar."

Fortunately, just at this time, Anson Jones himself was elected President of Texas. Now Jones wanted the glory of securing independence for his own administration, and so he deliberately omitted to carry out the orders of Houston. The Texan people still continued favorable to annexation, and the fear of their displeasure was an additional incentive to delay. Instead of obeying the commands of Houston, Jones sent to Smith, the Texan *chargé*, at Paris, a leave of absence to return home. These movements, though suspected, were not made public until 1848.

President Tyler had a ready reply to the demands of Houston for military aid. He pointed out the limitations of the Constitution. And yet every consideration of honor and expediency suggested that this government should not look calmly on while Mexico renewed a war on Texas on the principles of the "barbarous ages," simply because she had listened to a proposition from this government which the executive here was fully authorized to make. Representations and protests were accordingly made by Governor Shannon, our agent in Mexico in the place of Thompson, against the character of the warfare proposed to be waged against Texas. The reply of Mexico consisted of letters, ascribing the most debasing motives to our people, especially the people of the Southern States, which were loudly re-echoed, in the bloodthirsty tone that had long distinguished them, by the South-haters in this country, who complained of the government for despoiling Mexico, and yet whose hands and whose hearts were sordid with the gold which they had filched and plundered from the pockets of their own countrymen by every ingenious tariff law or other device. Nor did Mexico offend in this only. She had not only violated existing conventions between the two countries, by arbitrary and unjust decrees against our trade and intercourse, but withheld the payments of the installments of debt falling due un-

der the convention of 1843, since April, 1844. By a decree dated the 14th of July, 1843, all Americans were expelled from the States of California, Sonora, Sinaloa, and Chihuahua. By another decree the retail trade was prohibited to all foreigners resident in Mexico, and still another decree subjected to forfeiture all merchandise lawfully imported into the territory of Mexico and remaining unsold after one year.

In the midst of these occurrences the election in the United States occurred for president and vice-president.

The nomination of Mr. Tyler at Baltimore had been followed up by a successful ratification meeting in New York, on the 23rd of July. The intention of running a separate electoral ticket, and a separate ticket for county and congressional officers was avowed. This vigorous action thoroughly intimidated the Polkites. Mr. Tyler and his friends had been ostracised from the Democratic party by the Van Burenites, and now having destroyed Van Buren and his followers, his triumph would be complete by an invitation to enter the party folds as a friend and an equal. Mr. Ritchie, the king of the Democratic press, became alarmed at the prospects ahead, and urged appeal after appeal upon Mr. Tyler to withdraw and unite in the common cause. Mr. Tyler's friends in Virginia held a convention at Norfolk, and publicly interrogated the Democratic electors, whether they would give their votes for Mr. Tyler, in case a majority of the Democrats preferred him, on election day, to Polk. The replies of the electors, which were in the affirmative, are published in the *Enquirer*, and are full of expressions of regard for Mr. Tyler.

The whole Democratic press joined in the appeal: "Oblivion to the past, energy and zeal to the future!" "Throw open the doors of Tammany Hall broadly for all the tried friends of John Tyler." "His name," said Ritchie, "must stand ever pre-eminently in glorious identity with this great measure of annexation." "Come," said he, "at the head of your gallant and devoted friends, and render our common victory and triumph certain and complete; come, and the grateful and united voice of more than a million of freemen, rescued by your vetoes from the domination of a monarch Bank, will proclaim you welcome,—welcome,—thrice welcome into the ranks of our republican brethren." A special delegation of the Democrats from New York waited upon

Mr. Tyler, pressing his withdrawal. A letter from Gen. Jackson was produced as evidence in behalf of Mr. Polk: "Mr. Tyler's withdrawal at once would unite all the Democrats into one family without distinction. This would render our victory easy and certain, by bringing Mr. Tyler's friends in to the support of Polk and Dallas,—received as brethren by them and their friends—all former differences forgotten, and all cordially united once more in sustaining the Democratic candidates."¹ The following extracts from letters of Alexander Gardiner show how complete this understanding with the Democrats was:

NEW YORK, *July 21, 1844.*

In my last I promised you another letter at an early day. I have since been very busily engaged, but this evening have it in my power to write you more at length and more advisedly concerning political subjects, of which, in your last, you particularly enquire.

We have had frequent meetings of the most prominent friends of the President during the last week, and Tuesday evening has been fixed upon for the public ratification of the Baltimore nomination. It appears to me that a large and enthusiastic assemblage may be safely anticipated.

The firm and decided course adopted has already produced highly desirable results. The Polk party regard it with deep apprehension; and at our private meeting last night letters from the Democratic General Committee, and from the most prominent leaders of the party here, were produced, admitting a conviction that the defeat of Clay depended upon the united action of his opponents, and requesting the appointment of a committee of conference, for the purpose of arranging difficulties. There could of course be no stronger evidence of intimidation. The subject is under consideration, and the conference will doubtless be had; but no definitive action will be taken without approval at headquarters.

NEW YORK, *August 2, 1844.*

I have just returned from a caucus of our friends, at which nothing transpired of other than local interest. A committee of them have been engaged this evening in an adjourned conference with the friends of Mr. Polk, the result of which I shall learn to-morrow. There appears to me much reason to believe that the union will be accomplished; and when that is done, the President will hold ground which will enable him to withdraw, if he should deem it advisable, with credit, honor, and upon terms of much prospective importance. For my own part, and I speak with great diffidence, I cannot at present perceive that anything particularly desirable could be achieved by a continuance in the field, this point having been reached.

The following is the correspondence with the Democrats of New York, who waited upon the President by committee:

¹ Niles' Register, lxvi., p. 416.

NEW YORK, *August 6, 1844.*

TO HIS EXCELLENCY JOHN TYLER: At a meeting of Democrats held at the Carleton House this evening, the enclosed resolutions were unanimously adopted, and the undersigned appointed a committee to transmit the same to you. Knowing that you feel equally with us a deep interest in the success of Republican principles in the approaching contest, we take great pleasure in discharging the duty assigned us, and sincerely trust that there may be such a union of the Democratic party as shall secure a permanent Democratic triumph. We remain, with high regard, your obedient servants,

ABM. HATFIELD,
CORN'S P. VAN NESS,
WM. P. HALLETT,
GEORGE D. STRONG,
L. B. SHEPARD,
THOS. J. AGNEW,
J. O. FOWLER,
JEREMIAH TOWLE.

Resolved, That the Democratic party owe a debt of gratitude to Mr. Tyler for his firmness and patriotism in vetoing the bill to re-charter a Bank of the United States, and to distribute the proceeds of the Public Lands, and also for his recommendation to Congress to remit the fine unjustly imposed by Judge Hall on Gen. Jackson; and we cannot withhold our approbation of those most important measures of his administration, which have been based on a strict adherence to the principles of the Constitution and a desire to promote the welfare and prosperity of our common country.

Resolved, That a union of all those who profess the great and leading principles of the Democratic faith, however they may have been estranged by circumstances, is equally demanded by the highest considerations of patriotism and the unerring dictates of an enlightened policy.

Resolved, That the Democratic friends of President Tyler are committed to the same general principles as the supporters of Mr. Polk, and therefore it is desirable and important that they should act unitedly in the coming presidential contest in the support of the same electoral ticket, and thereby defeat the Federal candidate, Henry Clay.

WASHINGTON, D. C., *August 22, 1844.*

GENTLEMEN: Your letter, transmitting to me a copy of the resolutions passed at a conference of Democrats of the city and county of New York, held at the Carleton House on the 6th of August, which was handed to me a few days since, is entitled to receive my warmest acknowledgments. The evidence which the "resolutions" furnish of the estimate placed on my conduct as to several important measures since I have been at the head of the administration by the representatives of so large and respectable a portion of my fellow-citizens, could not fail to prove highly acceptable to me. The *Madisonian* of yesterday will convey to you the information of my withdrawal from the presidential canvass, along with my reasons for having adopted that step; and I beg to assure you that the resolutions of the Democratic con-

ferees of the city and county of New York have not proved altogether inoperative in producing that determination.

It has long since been made known to the country that, upon sending in my second veto message to Congress, I submitted in solemn form to the then cabinet,—Mr. Webster, Mr. Ewing, Mr. Bell and Mr. Granger being present,—the question, whether, in connection with that message, in order to relieve my motives from all manner of imputation, I should not accompany it with a positive declaration that I would not permit my name to be used in association with the question of the presidential succession; and it has also been admitted by the person who has figured more largely before the public as my assailant than any other of that cabinet, that the unanimous decision to which the cabinet came was that it would be impolitic and unwise for me to adopt that step. The evasion to which he resorted in his publication, viz.: that he gave that advice because he regarded such a declaration out of place in a veto message, was entirely an after-thought, and never once, to my knowledge, breathed in the cabinet. What time or place could be more appropriate than a message which asserted a great constitutional principle, to enforce which upon the country every imputation of improper motive in its author ought carefully to be guarded against, it is not easy to explain. I yielded, for the reasons urged upon me, my own convictions, and encountered shortly after the attacks of some of the very men who gave me that advice, and who were the foremost to impute to me the worst and basest of motives. For almost all the time which has since elapsed, I have been the object of the most violent attacks in newspapers, in public speeches, and in resolutions adopted at public meetings. No abuse, however excessive, has failed to be lavished upon me.

I was well prepared to expect this on my accession to the presidency after the death of General Harrison. A just regard to my own character left me no alternative but to maintain my position firmly, and, unmoved by the combinations which existed against me, to press forward in the discharge of my duty to the country, and, if I could not win its confidence, not only to protect it from injury, but to advance, as far as I could, its highest interests.

The experiment of free government, subjected to a new and severe trial in the succession, for the first time, of a vice-president to the presidency, is now rendered secure in the course which the great party you represent have manifested the resolution to pursue. I deem it only necessary to refer you to my published address as containing a full exposition of my political views.

I tender to you, gentlemen, assurances of my high respect.

JOHN TYLER.

To Messrs. Hatfield, Van Ness, Hallett, Strong, Shepard, Agnew, Fowler and Towle, Committee of the Democratic Conference of the City and County of New York.

The acknowledgments of General Jackson were conveyed in the following note to Mr. Tyler's friend, Joel B. Sutherland, of Philadelphia:

[*Private.*]HERMITAGE, *Sept. 2, 1844.**The Honorable J. B. Sutherland:*

DEAR SIR: Your private letter of the 20th ultimo has been received, and I have read it with pleasure. The withdrawal of Mr. Tyler from the canvass will be duly appreciated by all the Jeffersonian Republicans, and in the end redound to his popularity and free him from all selfish views which his enemies have been imputing to him in his patriotic endeavors to reannex Texas to the United States—the most important question, as it relates to the defense, the security, and safety of the most important interests of the whole Union that has ever been presented to us. It is a great national, and not a party question.

As requested, I have enclosed your letter to Col. Polk, and enclose you a lock of my hair.

Very respectfully yours, etc., etc.,

ANDREW JACKSON.

I may now properly add the following hitherto unpublished letter of Mr. Tyler to his brother-in-law, Alexander Gardiner. It gives the history of his personal party, and the true motives of its organization:

[TO ALEXANDER GARDINER.]

EAST HAMPTON, *July 11, 1846.*

MY DEAR SIR: Your letter of the 9th inst. is before me, and premising that what I shall say to you is for you alone, so far as my name is concerned. I proceed to give you a summary of facts, the most of which form a part of the history of the times, and all of which you are at liberty to use, according to the suggestion of your own sense of propriety. In consequence of the combined attack to which I was subjected by the editors of newspapers in the interest of Mr. Van Buren and Mr. Clay, after the elections in 1842, the result of which constituted the greatest political victory ever won within my recollection, and was achieved entirely upon the vetoes of the Bank bills presented to me at the extra-session, it being difficult to say which branch of the coalition was most violent and vindictive it was esteemed every way proper to organize a separate party, ostensibly in reference to the presidency in my own person, but in truth for the sole purpose of controlling events, by throwing in the weight of that organization for the public good, in the then approaching election. For this purpose, and with this view, and in order to preserve such organization until the proper time should arrive for striking a decisive blow, I accepted the nomination made of me by my friends at Baltimore. That time could not arrive until assurances should be given to the public by those in lead of the Democratic party, that my friends, the most of whom, like yourself, had been through all time attached to the Democratic party, or, like myself, had disregarded names, but had uniformly acted upon the principles of the Jeffersonian or old Republican party, should cease to be objects of abuse, but should be recognized by the Democratic administration, which the popular elections might bring into power as entitled to its trust and confidence as fully and as perfectly as if Mr. Van Buren had been

in favor of Texas annexation, and I or they had never opposed his pretensions to the presidency. The newspaper press throughout the country, and especially in Virginia, led the way in making these demonstrations. The Democratic electoral college of Virginia soon followed suit, the members thereof being publicly questioned as to their willingness to vote for me upon a majority vote of the Democratic party of the State being cast for me. Shortly thereafter I was waited on by a friend, who showed me a letter from General Jackson, urging my withdrawal as the certain means of electing Mr. Polk, and ensuring a consummation of all the leading measures of my administration which required a finishing hand to be put to them, and expressive of the strong conviction that my friends would be regarded as true friends of the country, and be as favorably looked upon as any other portions of the Democracy. A gentleman, standing high in the favor of the present administration, added also the expression of his earnest solicitude upon the subject with similar declarations; and as if to leave no shadow of doubt upon the subject, I was waited on by a committee, duly appointed from Tammany Hall, who did not stop short of the declaration that I held the fate of the Democratic party in my hands, and that upon my course depended its success or defeat. Such, too, was the general tone and language of the Democratic press. Under these assurances, I withdrew my name from the contest, and from that moment the election of Mr. Polk was rendered next to certain.

Upon the receipt of my letter of withdrawal in Philadelphia, the Chinese museum was crowded by 6,000 of my friends, who went over to Mr. Polk in a body, and thereby secured him the vote of that great State. I say nothing of the elections elsewhere, nor is it necessary. The loss of Pennsylvania would have lost him the election.

I have not witnessed, without regret, the ostracism which has been so universally decreed against my friends. Mr. Polk, in his course heretofore towards them, would seem to be avenging supposed wrongs to Mr. Van Buren. I trust that — may at least escape the fate which has befallen others, but I can in no other way interfere than by expressing my sympathies, and contenting myself with recalling to your mind the above facts, the most of which were publicly known at the time.

I subscribe myself, truly your friend,

J. TYLER.

Mr. Tyler's letter of withdrawal from the canvass was as follows:—

To my Friends throughout the Union:

The reasons which influenced me in accepting the nomination for the presidency, made by a convention of my friends in May last, in Baltimore, have

¹ Mrs. Tyler wrote August 22: "The President's withdrawal article of course meets with bitter notices from the Whig press, but the impartial consider it President Tyler himself,—elevated, dignified, and eloquent, maintaining the principles he has carried through in his administration—full, clear, concise. It was the result of only three or four hours' attention. I never saw a person who could write more rapidly, and his first throwings off are always"—*The letter here is lost.*

lost much of their original force. I had been not only most violently assailed by the ultraists of both parties, but had been threatened with impeachment for having negotiated a treaty proposing the annexation of Texas to the Union, as a portion of its territory, and for having adopted precautionary measures clearly falling within the range of executive discretion, to ward off any blow which might have been seriously aimed at the peace and safety of the country in the event of the ratification of the treaty by the Senate. The opinion of a person once ranked amongst the distinguished jurists of the country found its way into the newspapers, apparently as the precursor of such proceeding.

A report had also been made at a previous session of Congress, by a committee of the House of Representatives, which proceeded from a man who filled no limited space in the eye of the world, in which—because of the exercise of the veto power in arrest of the unconstitutional and pernicious measures of a United States Bank, and a donation to the States of so much of the revenue as was derived from the public lands, at a moment of great embarrassment to the Treasury, and when loans were necessary to sustain the government—I was charged with the commission of grave offenses in the above particulars, and with deserving all the pains and disgrace flowing from the high power of impeachment, a measure, as it was intimated, only not resorted to by the House because of a doubt entertained whether the proceeding would be sustained by public sentiment. I had, it is true, protested against that report as originating in wrong, and dictated by party rancor and malevolence; but my protest was refused a place on the journals of the House, and thus in future times my name might have been tarnished by the fact of a solemn declaration implicating my character remaining uncontradicted and unreversed on the public journals.

The party majority which had sanctioned a proceeding so unjust, had, it is true, been swept out of existence by the elections which shortly afterwards followed; but at the time of my acceptance of the nomination, although a large and overwhelming majority of the opposite party had been brought into power by the people, as if for the express purpose of sustaining me in what I had done, yet that very party had made no public movement indicative of a friendly feeling, and a portion of its members, who seemed to control the rest, exhibited the bitterest hostility and the most unrelenting spirit of opposition. Under these circumstances there was but one course left to me consistent with honor, which was to maintain my position, unmoved by threats and unintimidated by denunciations. Those of my countrymen who had come to my support had done so in a self-sacrificing spirit, without the indulgence of any other expectation than that my character should be vindicated, and that the policy of my administration should be sustained; and I felt that it would better become me to abide the most signal defeat than to incur the disgrace of deprecating the action of a party, the chief object of whose leaders seemed to be to fasten upon me disgrace. I had also an indistinct hope that the great question of the annexation of Texas might, in some degree, be controlled by the position I occupied.

These motives induced my acceptance of the nomination made by my friends. Before the close of the session of Congress, however, developments

were so clearly and distinctly made as to the threatened impeachment, that no trace of such a measure was left. Mr. J. Q. Adams' report, implicating my motives and conduct in my vetoes of the Bank and other bills, was deprived of all its force and furtive effect by a report made by a committee, of which Mr. Ellis, of New York, was chairman, accompanied by resolutions, which passed the House of Representatives some few days before the close of the session by a large and commanding majority, not only rescuing my motives from all imputation, but justifying and upholding my policy. The voice of the people in the election of 1842 was thus directly responded to by that of their representatives, and but little remained for me personally either to expect or desire.

Since the adjournment of Congress the language of many of the leading presses of the country, and resolutions adopted by large assemblages of the people in their primary meetings, have still further endorsed the proceedings of the House in approbation of the acts of the administration. I could not, however, look exclusively to my own wishes, which would have led me immediately to retire from a contest which seemed no longer to be possessed of an object worthy of much further attention. But I was not at liberty to do so without first consulting with such of my most prominent and steadfast friends as I could readily confer with; men who had shared with me in much of the abuse which I had encountered, and would partially have participated in all the obloquy, if any, which might in the future attach to me. So far as I have been able to consult them, they have yielded their assent to the course which my own judgment suggests as proper, and I now announce to them and the country my withdrawal from the presidential canvass.

I cannot omit to accompany this public annunciation with a few remarks, addressed to the Republican portion of what was called the Whig party of 1840. I make no appeal to that other portion which was formerly known during the early period of our political history as Federalists, at a later day as National Republicans, and now pass under the general appellation of Whigs. Such an appeal would be wholly out of place, since their political principles are entirely at war with those I have advocated through life. I mean no imputation on their motives or their patriotism. I doubt not that the old Federal party, in the lead of which stood the elder Adams, were as deeply and sincerely convinced of the necessity of the alien and sedition laws as the present is of that of a Bank of the United States, with other measures equally latitudinous, along with the abolition of the veto power, whereby to convert the government into a mere majority machine—to make it the government of a single nation, instead of what it is, a political compact between free, sovereign, and independent States, by which so much power, and no more, has been granted to a common agent of all the States, as *they* esteemed to be necessary for the promotion of their mutual happiness. No: to them I have nothing to say. If I have received their support at any time, it has been, not from attachment to me or my political principles, but from some supposed influence which I might bring to bear, as a secondary agent, in advancing their purpose.

All the obligations which I have received for such reasons have been more

than counterbalanced by the untiring opposition which I have encountered at their hands since I attained my present station, and the constant and unmitigated abuse which their leaders have poured out in a torrent upon my head, designed, as I verily believe, in the first instance, to drive me from the government, and in the last to overwhelm me with obloquy and reproach. But I have a right to address myself to those who, like myself, co-operated with them in the contest of 1840—who were, and always had been, the advocates of the principles of the old Republican party—whose strenuous efforts have always been directed to preserving the compact of Union unbroken and inviolate—who have sustained at all times the principles of the Republican party of 1798-'9; who have participated from time to time in all Republican triumphs; whose fathers were victorious over the elder Adams in the election of Mr. Jefferson, as they themselves were over the younger in the election of Gen. Jackson.

To this portion of the Whig party of 1840 I feel that I have a full right to address myself, and I now seriously put it to them to say, whether any expectation of good to the country which they had formed in the election of Gen. Harrison and myself to the presidency and vice-presidency has been disappointed? Many of us had been thrown into opposition to Gen. Jackson during his last term, having voted for him upon his first and second elections, because of certain doctrines put forth in his proclamation, and because of certain measures which followed that celebrated state paper. Our opposition proceeded from no spirit of faction, but from what we esteemed it to be, a sacred regard to the high and essential principles of the Republican party; and regarding his successor as in a great degree identified with what we esteemed as errors in Gen. Jackson's administration, our opposition was continued to him. The state and condition of the country also seemed to require change in the general administration. Have you been disappointed in the reform which you promised yourselves by going into the contest? You demanded a rigid economy to be observed in the public expenditures. Have you in this been disappointed? You required accountability on the part of all public agents. Has it not been fulfilled? Let the fact that a defaulter has become almost unknown for the last three years answer the question.

You asked that a course of policy should be adopted which should purify and reform the currency. Was the currency of the country ever in a better condition? Let the rates of exchanges between all parts of the country answer the enquiry. Has the day ever been when the currency was sounder or the rates of exchange lower? You sought once more to put the mechanical arts in active operation, and to relieve commerce from the blight which had fallen upon it. The first has revived, and the last has unfurled its sails, which now whiten almost every sea. The paralysis which had fallen on public credit, to an extent so great that the poor sum of \$5,000,000 of government stock was offered to European and American capitalists without our being able to find for it a purchaser, has passed away, and a well supplied exchequer gives evidence, not only of the expansion of trade, but of the stable basis on which rests the public credit.

The very stock for which no bidders could at one time be found now

readily commands in the market an advance of fifteen or twenty dollars in the hundred. In the meantime, I submit it to you to say, whether the principles of the Republican party have not been closely observed in all that has been done. Did those principles require that we should re-commence a new cycle of twenty years, the predecessor of which a Bank of the United States had fulfilled in 1836?—beginning by increasing the derangements of business for years, attended in its mid career with comparative prosperity, then resorting to efforts by all its large means to force a re-charter, and ending its existence amid the curses and denunciations of the many it had ruined. Most of you had, like myself, through all time, pronounced the Bank to be unconstitutional.

Had your opinion on this subject undergone a change in 1840, and did you contemplate that Gen. Harrison and myself—who during the whole contest avowed our opinions to be unchanged in that respect in numerous addresses to the public—would be deserving of denunciation if either of us should refuse to perjure ourselves by sanctioning a Bank charter, which, believing it to be unconstitutional, our solemn oath of office required us to *vote* against or *veto*? Tell me, moreover, brother Republicans of 1840, had you then brought yourselves to the conclusion that, even admitting a possible abuse of the veto power, it was proper to erase from the Constitution that great barrier and check to unconstitutional and highly inexpedient legislation, thereby making the will of Congress supreme, and installing the majority of that body in the full possession of all the powers of government? Or did you, or do you now, still cling to the opinion in which the qualified veto originated, that a government without checks and balances is the worst form of oligarchy, and that too many guards, in order to secure public liberty, cannot be thrown over its different departments?

If, indeed, you are advocates of a change so vital as that proposed, then may not only the Garrisons and Tappans of our own country rejoice, but a shout should ascend from the abolition convention “of the whole world,” at the fact that our Federal system had given way before the power of a consolidated government, whose will, uttered forth by sectional majorities, was absolute, admitting of no check or resistance from any quarter whatever. If, indeed, these be your opinions, then have I most grievously disappointed the hopes in which you indulged in connection with my election and my administration. I must, nevertheless, most solemnly aver, that had I been aware that such would have been expected and required of me—if I could have believed that you, whose candidate I was peculiarly considered, and to conciliate whom I was nominated for the vice-presidency, would have required of me in the contingency which unhappily occurred—that I should commence my administration with an act of perjury, and sanction measures abhorrent to every principle of my past life, and at war with the prosperity of the country and the continuance of liberty, I would not have suffered my name, humble as it was, to have been breathed in the canvass. No, I claim the proud privilege of an American citizen to think for myself on all subjects, and to act in pursuance of my own convictions, and it would require a total change of my nature in order to convert me into a mere instrument of party, or of party dictation.

I would appeal, not only to yourselves, but to all my countrymen, to say whether, in the matters appertaining to our foreign affairs, they anticipated more success in the adjustment of difficulties and in the formation of highly important treaties than it has been my province to cause to be negotiated? Long standing difficulties have been adjusted—difficulties which threatened most seriously the peace of the country. Nor has any opportunity been lost for enlarging the commerce of the country, and giving new markets to our agricultural and manufactured products. If the country has not reaped full fruition of benefit from all the treaties thus negotiated, it surely has not been the fault of the administration. The loss of two of those treaties through the action of the Senate cannot but be deplored by me as great public calamities. By the treaty with the German States we had opened the way to a more extended commerce with 27,000,000 of people in our cotton, tobacco, rice, and lard, at duties on tobacco, rice, and lard greatly reduced, and with a stipulation for the free admission of cotton; while we had agreed to receive at somewhat reduced duties articles from those States which entered into the most limited competition, if at all, with a few similar articles of American product.

The treaty was particularly interesting from the fact that, for the first time, after repeated struggles on the part of my predecessors to accomplish a reduction of duty on tobacco, the government had succeeded in doing so. It was negotiated under resolutions originating with the tobacco States, and with the presumed sanction of Congress, who had raised, as it is believed, the mission to Vienna from a second to a first-rate mission, with direct reference to the tobacco interest, and had also appropriated a sum of money some years ago to enable the executive to employ an agent in Germany to acquire information as to the tobacco trade, the services of which agent had only ceased a short time prior to the negotiation of the treaty. My hope still, however, is, that the benefit of the treaty, and the treaty itself, may not be lost to the country. I think it proper to add, that there was no design to deprive the House of Representatives of any rightful and constitutional action over the subject which it might properly exercise. It was, on the contrary, my intention to have submitted the treaty, and all the papers calculated to elucidate it, to the House of Representatives, if it had been ratified by the Senate, for such action as they might have deemed it proper to adopt—a course pursued in all cases in which the action of the House is required to vote supplies of money, or fulfil any other object falling within the scope of their power.

In negotiating the treaty for the annexation of Texas, which was rejected by the Senate, motives have been ascribed to the administration which had no place in its mind or heart. One gentleman, occupying a prominent place in the Democratic party, whether for good or evil it does not become me to say, has assigned in an address, recently delivered in Missouri, two prominent motives for its negotiation: 1st, personal ambition; and 2ndly, a purpose to dissolve the Union. Mr. Clay, also, in a recent letter, written to the editor of a newspaper in Alabama, has called it *infamous*, and ascribed to it, in its origin, *sinister objects*. I repel both their assaults upon the treaty and its negotiators. What object of mere personal ambition in any way connected

with office could have influenced the administration in negotiating the treaty? The public archives furnished the strongest reasons to believe that the treaty would have met the unqualified approval of both Mr. Clay and Mr. Van Buren. While the one was Secretary of State to Mr. Adams, and the other to Gen. Jackson, each in his turn attempted to obtain the annexation of Texas. Mr. Clay's negotiations were carried on with Mexico in the third year of her revolutionary struggle, while Spain regarded her as a revolted province, and her armies were in possession of many of the strongholds of the country. What reason, then, could I have had for supposing for an instant that a treaty with Texas, after eight years of actual independence, with no Mexican soldier within her territory, and subject only to occasional border interruptions, could or would have met with opposition from him or his friends? And meeting with no such opposition on the part either of Mr. Van Buren or Mr. Clay, and their friends, it would puzzle a sounder casuist than I profess to be to conceive in what possible way it could have interrupted the relations of those two gentlemen, who stood at the moment at the head of their respective parties, and were looked upon by all as competitors for the presidency. It is well known that, when the negotiation for the acquisition of Texas was commenced, and up to the period succeeding the signing of the treaty, it was my confident conviction, expressed to many, that it would, from the circumstances I have stated, receive the support both of Mr. Clay and Mr. Van Buren, so that neither would be affected by its negotiation.

If it had been charged that the administration was prompted by the ambition of securing the greatest boon to the country, and the whole country, in the acquisition of a territory so important in itself, and so inseparably connected with the interest of every State in the Union, and every interest of the Union, I would have plead guilty without a moment of hesitation. I confess I felt ambitious to add another bright star to the American constellation. It would have been a source of pride to me, if that measure had been carried, to have witnessed from the retirement that awaits me the annual expansion of our coastwise and foreign trade, and the increased prosperity of our agriculture and manufactures, through the rapid growth of Texas, which would have followed the ratification of the treaty. Yes, I freely confess that this would have furnished me an unfailing source of gratification to the end of my life. I should have seen also the union of the States becoming stronger and stronger through their reciprocal affection; local jealousies suppressed, and fanatical schemes and schemers alike prostrate. I should have witnessed the blessed results of our federative system as it embraced the finest country in the world, and brought under its influence a people devoted, like ourselves, to the maintenance and preservation of free government.

This was the kind of ambition which prompted the negotiation of the treaty. Its ratification was the sole honor which I coveted, and that I now desire. What *sinister motives* could have originated the negotiation at this time that did not exist in 1827? What was there *now* to have rendered a treaty *infamous* which did not exist then? If it be said that we had a treaty of limits with Mexico, I ask if, in 1827, we had not also a treaty of limits with Spain? We had recognized the independence of Mexico, and, therefore,

virtually claimed that we had a perfect right to treat with her for the annexation of Texas, and in fact, if we had so pleased, for Mexico entire. Eight years ago we recognized Texas as independent, and surely our right to negotiate with her implied no worse faith than in 1827 to negotiate with Mexico for her.

The idea that, because of the existence of a treaty of limits with any nation, we must forever thereafter deny to all parts of the territory of such nation the right of revolution or change, can only excite, with an American citizen, a smile. Was it deemed necessary, in 1827, to consult the States, to consult the Senate, or to consult the House of Representatives, or the people? Was it considered necessary to obtain the assent of every State, as would seem now to be proposed, before forming a treaty of annexation? If the assent of every State is necessary, then may we bid adieu to the prospect of annexation now or hereafter. The Constitution devolves the treaty-making power on two-thirds of the States, through their senators, and it is altogether a new doctrine that a treaty should not be negotiated without the assent of all.

Danger to the Union through the exercise of the power of a constitutional majority in the *making* of a treaty, is a doctrine for the first time advanced, and having no foundation in point of fact. I regard the preservation of the Union as the first great American interest. I equally disapprove of all threats of its dissolution, whether they proceed from the North or the South. The glory of my country, its safety and its prosperity, alike depend on Union; and he who would contemplate its destruction, even for a moment, and form plans to accomplish it, deserves the deepest anathemas of the human race.

I believed, and still believe, that the annexation of Texas would add to its strength, and serve to perpetuate it for ages yet to come; and my best efforts, while I remain in office, will be directed to securing its acquisition, either now or at a future day. Whether any efforts will avail to secure this object, since the rejection of the treaty, remains still to be seen. I abandon all hope upon the subject, if it shall be esteemed necessary to obtain for it the approval of every State. The case rarely occurs that any treaty receives the unanimous approval of the Senate.

I have been called upon, in justice to myself, to make these remarks in withdrawing from the position in which my friends had placed me. I might present other enquiries growing out of the course of the administration, both in regard to our domestic and foreign relations, as to which principles have been maintained which may arrest the attention of future and even remote administrations; but let what I have said suffice. All that I ask of my countrymen is a candid review of my acts, and an impartial comparison of the condition of the country now with what it was three years ago. I appeal from the vituperation of the present day to the pen of impartial history, in the full confidence that neither my motives nor my acts will bear the interpretation which has, for *sinister purposes*, been placed upon them.

JOHN TYLER.

Mr. Tyler had accomplished the great ends for which he had labored. The Democracy had thrown the magic banner of Texas

to the breeze, and it had only remained for him to unite his forces with those of this party to carry rout and ruin into the ranks of all his enemies. This final act had been accomplished with equal credit, dignity, and honor to himself. Black and threatening rose the clouds upon the horizon, and "he rode upon the whirlwind and directed the storm."

As the day of the election drew near, the excitement over Texas grew each day more and more violent. The caldron of politics seethed nothing but Texas! Texas! Every other issue was swallowed up in the great one of annexation, which formed the subject of every speech, meeting, and conversation. Orators bawled themselves hoarse about Texas; newspapers bristled with all sorts of types proclaiming Texas! Texas clubs were all the rage; and even the poet wrestled with the name, and wrote numberless verses in honor of Texas.

The *par excellent* friends of Van Buren were in a sad state. They could never understand the nomination of Polk; and finally, after a vast deal of protesting, voted for him under the sorry pretext that they were Democrats, though Democracy was hopelessly identified, by the national platform, with annexation.

But it was ominous for the Whig party that the Whig elector for the eastern district of Virginia, James Lyons, the author of the Whig address in 1840, in an address at the Richmond clubhouse, September 12, 1844, declared for Texas, and berated his party well for their treatment of Mr. Tyler. He said that he was against the Bank; that he had warned his party of the effects of the course they had pursued, and now the whole power of the government was on the side of Polk and Dallas.

The election day, in November, at length arrived. If the dull realities of this day might allow imagination to have its scope, we might tell of the bed-sides which the ghost of the murdered Texas treaty visited, in the silence of night, to exclaim, as it pointed to its gaping wounds, "*Et tu, Brute!*" And if departed spirits could be permitted to revisit this world, and "the sepulchre ope his ponderous and marble jaws," how many restless consciences must have felt the terrible presence of the lamented Upshur,¹ with

¹ "Sir (said Mr. B.), I knew the late Judge Upshur well. He was my neighbor—my friend. He was a man of honor, who, in the most immaterial transaction of life, would not have lightly given assurances which should regulate

his massive brow corrugated into a mien of dreadful reproach, and of the lamented Gilmer, with his swift black eye and lips set in firm resolve.

Every man was in the field! Between the embattled hosts blazed the drawn sword of the administration, with Texas inscribed upon the blade. A thousand nameless, shameless wrongs had in that hour to be avenged. Pledges given and broken; terrorism vaunted and put in practice at the expense of the public good; the whisper, the libel, the scandal,—the secret forces that “head” and the open forces that “drive,”—Federalism with its Janus face, its Argus eyes, Protean form, and Briarean hands,—*loco-focoism*, with its crown of “spoils and corruption,” its old prostitution in the cabinet and bureaus, and its loathsome gaming in the dirtiest slums of the great cities; the machinations of Houston and Anson Jones; and the “British party” in America and in Texas—there they were, all of them, in actual presence, in-

the conduct of others. And in so important a transaction as an official negotiation, to say nothing about the solemn dignity of the one in question, I am perfectly certain that he would not have given such an assurance as is referred to by the gentleman, unless he felt fully authorized by such information as would satisfy the most cautious man that he might with propriety do it. Indeed, he expressly says, in the dispatch referred to, that every necessary step had been taken to procure accurate information of the disposition of the Senate; and, Mr. Chairman, if departed spirits could be permitted to revisit this world, and the lamented Gilmer, by whom the duty of sounding the Senate was undertaken, as I am told, could appear among us again—if Upshur were here to explain a memorandum found among his papers, too meagre to be understood by others, in which a list is given of senators ‘certain for’ and ‘certain against,’ the former comprising two-thirds, perhaps it would be found that the small politicians of the country were not the only persons who suddenly changed their positions upon the Texas question after the appearance of the Raleigh letter. The memorandum, it is believed, referred to the Texas negotiation. It is known at the time the subject was uppermost in his mind, and absorbed all his thoughts. It was, I believe, the only negotiation he was conducting at the time, and I do not know to what else it could refer. But be that as it may, of one thing I am certain, that, however he or the President might have been deceived, both of them are incapable of betraying others by ‘false pretences’ and ‘false promises.’ To say nothing about the immorality of giving such an assurance, in the absence of such evidence of its truth as convinced him that it might be given with propriety, look at the folly of the thing. A very short time would test its accuracy. And can any one believe that a gentleman of Judge Upshur’s character would deliberately, in a public dispatch, give an assurance, the truth of which the action of the Senate would soon disprove?”—*From the speech of Mr. Bayly, of Virginia, in the House of Representatives, Jan. 7, 1845.*

fluence or spirit, to be met, crushed, cut, bruised, stabbed, beat, broken and destroyed by the drawn sword of the administration.

Its very shadow, like that of the magic sword of eastern fable, which killed at twenty paces, seemed death. Mr. Clay threw himself upon its point, and was laid forever aside in the vault which disappointment has prepared for reckless and ambitious politicians. Mr. Van Buren felt that sword's shadow, and was laid by the side of his old antagonist. Mr. Benton, who thought to come in after Mr. Van Buren, and who also wished to ride the Texas question, received a wound which threw him into a decline, from which he could never recover; and finally, Mr. F. P. Blair, the obedient servitor of both, soon toppled off the tripod of the *Globe* under the same fatal influence. Never did any president win so great a victory! It was the Philippi of the ghost of the murdered treaty!

"Oh! such a day,
So fought, so follow'd, and so fairly won,
Came not till now, to dignify the times,
Since Cæsar's fortunes!"

The Whigs cried "fraud," but the losing party has a sort of copy-right to such cries, and no one is surprised at them. The Democrats had uttered the same cry in 1840. The Whigs charged upon the Democrats frauds in Louisiana. Mr. Slidell declared that frauds had been doubtless committed on both sides, but that nine-tenths of the frauds committed were Whig frauds. Mr. Ritchie, in the *Enquirer*, massed up an appalling amount of frauds against the Whig party in New York and elsewhere. The Whigs condescended to the worst kind of forgeries in the newspapers to affect votes. There was the "Roerback" forgery, from one Roerback, who, travelling in the South, said that he saw upon the banks of the "Duck River" an encampment of negroes with their drivers, proceeding to the Southern market, and that these negroes were branded with the initials J. K. P., and were the property of James K. Polk, the Democratic candidate for the presidency of the United States. Then there was the "goldbug" forgery, tenaciously adhered to by the Federal press, that the free-traders of England had subscribed an immense sum of money to buy up American votes for Polk. "Handbills, as large as an advertisement for the exhibition of a menagerie of wild animals,"

were posted at every cross-roads, and upon the door of every Whig store, tavern-house and grocery in the country, to spread alarm of Democratic interference. Ezekiel Polk, the grandfather of the candidate, though a revolutionary patriot, was represented as a Tory; and men went through the nation yelping in derision "Zeke Polk," and pretending ignorance of a man who had held the highest office in the gift of his State, both representative and executive, and had occupied for many years a seat in the popular branch of our national legislature; a part of which time he was chairman of the committee of Ways and Means, the most responsible of all others, with his name prefixed to every financial report made by that committee for the time he served, and another part Speaker of the House of Representatives, presiding with a dignity which did credit to him and honor to the American nation. Then there was the forged communication purporting to be under the hand of J. G. Birney, declining longer to stand as the candidate of the abolition party. In the North, he was represented as having declined in favor of Mr. Clay, to secure abolition votes, and in the South in favor of Mr. Polk, in order to drive Southern men away from Mr. Polk. These were but instances.

But all this made very little difference as to the verdict passed upon annexation. The only people that took an out-and-out position against annexation were the followers of the abolitionist, Birney, who had formally resolved to dissolve the American Union, and make Texas the pretext to accomplish it. The duplicity of Clay was only excelled by his duplicity in 1840. Against the Bank in 1811, he became its friend in 1816. In 1840 he was once more opposed to the Bank, and in 1841 once more in favor of it. Now, in 1844, he had no opinion on the subject whatever. So with the tariff. He had been a great tariff man from 1816 up to 1833. Then, in 1839, he was against all protection; now he was protection once more. But, perhaps, outside of his jugglery on the Texas question, to which I shall presently allude, his jugglery on the anti-Masonic question was the most remarkable.

It will be remembered that Granger, Seward, and the other anti-Masons had supported Harrison against Clay in 1836 and in 1839. When Clay was addressed, in 1831, as to his views on anti-Masonry, he replied scoffingly that he "knew not a solitary provision in the Constitution of the United States which conveyed

the slightest authority on the general government to interfere, one way or the other, with either Masonry or anti-Masonry." But the anti-Masonic nominations of Harrison in 1836 and 1840 had worked a weighty change in Clay's regard for their facility with the wires—a facility even excelling that of the "Little Magician," Van Buren. And now, in November, 1843, in reply to enquiries from the Pennsylvania anti-Masons, Clay entered into a labored reply, in which he successfully proved that he "never had any taste for or was much skilled in the mysteries of the Masonic order."¹

Clay's record on the Texas question was the rarest of all.² His Raleigh letter, which was *three* against Texas and *two* for it, had been dictated by the abolitionists. The annunciation of these views, however, did not meet with entire favor at the South, and in a letter to Stephen F. Miller, dated July 1, 1844, he protested against the idea of his "courting the abolitionists as an absurdity," and declared himself as "personally having no objection to the annexation of Texas," and leaving the fair inference that, although he would not jeopard or dissolve the existing Union for the sake of acquiring Texas, yet that, in the absence of any such danger, the annexation of Texas would meet with no objection from him. But this letter did not go quite far enough for his friends in Alabama. Elections in several of the Southern States occurred in August; and accordingly another letter was addressed to Mr. Clay, in relation to some further alleged misconception as to his views.

Mr. Clay replied that "though he did not think it right to announce in advance what would be the course of a future administration in respect to a question with a foreign power," yet, "he had, however, no hesitation in saying that, far from having any personal objection to the annexation of Texas, he should be glad to see it—without dishonor, without war, with the common consent of the Union, and upon just and fair terms." And he further very truly declared that "slavery ought not to affect the question one way or the other," and "that it would be unwise to

¹ Niles, lxx., p. 244.

² See the *Enquirer*, October 24, 1844, for a rare review of H. Clay's "Six Texas Manifestoes."

refuse a permanent acquisition which will exist as long as the globe remains, because of a temporary institution."

We find Mr. Clay, in this letter, giving expression to a *positive desire* to see Texas annexed, if certain difficulties could be removed, and leaving the fair inference on the mind that, in the event of his election, his policy on the subject would be to remove these difficulties if possible, and secure to the Union this "permanent acquisition." It was a common thing in the South, after this letter, for his friends to declare that they went for Texas, and for Henry Clay as the only man who could get it annexed to the Union. The editor of the *North Alabamian*, in which this last letter first appeared, was in ecstasies at its sentiments; for that paper declared "that he had put to rest the clamor which had been raised against him by his enemies in the South for his supposed unfriendly feelings towards Texas;" and that proof of his real feelings on the subject "is now furnished in language too clear to admit of further misconstruction."

It is certain that this Southern aspect on the question was far from agreeable to his Northern Whig friends. Their leading presses and speakers had been electioneering during the whole summer to obtain the votes of the abolitionists on the strength of his Raleigh letter. Such had been the course of Webster, Seward, Granger, Adams, Giddings, etc., etc. Mr. Webster seems to have been so much affected by them that he did not mention either Clay or Texas during the whole of some of his speeches, (as, for instance, his speech at the great mass Whig convention at Albany). A revulsion was occasioned in the Whig ranks, and the unconditioned enemies of Texas met in convention at Utica, in September, 1844, and nominated James G. Birney for President. In their address they reviewed the letters of Mr. Clay, and said: "Elect him to the presidency, and will not the man set to work to negotiate for its admission?—and if he can succeed, will the existence of slavery be any obstacle? He says not."

The vigilant eye of Mr. Clay noticed this disaffection, and to keep it from attaining dimensions too formidable, he immediately attempted to counteract it. The elections in the great non-slaveholding States of Pennsylvania, Ohio and New Jersey were just about to come off, and in two of them at least the abolitionists were believed to hold the balance of power. Accordingly, Mr.

Clay prepared three other letters for the Northern press, lamely attempting to reconcile his previous effusions, and decidedly glossing over his Southern views.

What possible interpretation could be placed, after all this doubling, turning and quibbling, upon the votes cast for Clay in the presidential election? In his desperate efforts to recall the abolitionists to his support, he argued that his Southern friends were now too deeply committed in his behalf to be readily frightened off; and thousands of votes were given to him on the strength of his pro-Texas letters and the fact that the abolitionists were driven to a separate organization. And yet so familiar has the so-called historian become with distorting the plainest facts, or entirely overlooking them, that the result in 1844 has been often made out a popular verdict against annexation, or if not against annexation, in favor of Henry Clay!

But the end was not yet. When Congress met at its second session the friends of annexation were jubilant.¹ Many of the

¹ The following are extracts from letters of Mrs. Tyler, written after the election :

November 27, 1844.

The Democrats are going to have a grand time to-night. All the Democrats in town are going to illuminate their dwellings. We shall merely light the lamps at the gates. The drums are beating in every direction as I write. They are going to surround and salute our mansion this afternoon and evening. Did you see the account of the Charleston (S. C.) procession? where the portrait of John Tyler was introduced, with the motto beneath,—“Well done! thou good and faithful servant!” and then his vetoes, No. 1, No. 2, No. 3, No. 4. I enjoyed the dinner at Mr. Mason’s yesterday very much. It was the most thoroughly social one I have yet attended. Mr. Pakenham was there,—the only one not of the cabinet. We talked across and all around the table, and it was very witty and merry. Mr. Calhoun sat on one side of me, Mr. Nelson the other. They were both so exceedingly agreeable I cannot tell which was most so, but I like Mr. Calhoun the best. I believe he never was so sociable before. He actually *repeated verses to me*. We had altogether a pleasant flirtation. He often alluded to Alexander (Gardiner), his resemblance to Pa, and his cough, which he says, if it is phthisical, will never do him any harm. He said he had something of the kind himself, but his general health was good, and he thought the constitution was almost always improved by it.

November 29, 1844.

The procession the other evening was quite a fine affair, though of course in no way comparative to the one in New York. “John Tyler” was cheered with burst upon burst. We had lights in the east room, in the dining room, the hall, and in the circle out of doors. The other day Dr. and Mrs. Niles, to whom we had letters in Paris, called upon me. *She* is the mother of “Eugene Sue,” the celebrated author. They are rather an odd couple, I think.

Whig representatives had voted for Texas, and now the voice of the people could not be mistaken. The President was right when he said that a controlling majority of the people, and the large majority of the States, had declared in favor of immediate annexation. And he was quite as justified in view of the atrocious imputations urged against the secret negotiation of the late treaty as an "intrigue," and as "taking the public by surprise," that the late election pronounced in the constitutional form was no otherwise than as "instructions," morally binding upon all those who had made that the test; in a word, that Texas ought and should be annexed by a joint resolution of Congress.

The farce of Mexico's claim to Texas had been again illustrated, after a paper war of ten years, by a new revolution, whereby Santa Anna had been hurled from power, and Herrera, supposed to be more favorable to a peace with Texas, had taken his place at the head of the government. The great equipments which had been collected against Texas, were thus dissipated into thin air.

The President's message received the highest eulogies from the Democratic press; and soon after its publication tidings reached Washington of the successful completion of Mr. Cushing's labors in China. The following letters are of historical interest:

[TO ALEXANDER GARDINER.]

WASHINGTON, *December 1, 1844.*

MY DEAR SIR: Your letters have been regularly received, and their suggestions fully weighed, and their receipt would have been earlier acknowledged but for the severe pressure upon me at this season. Mr. D—— has been appointed collector at Sag Harbor, and Mr. G—— will, in a day or two, take Mr. Fordham's place, as postmaster. As to the marshall's and district attorney's places. I have concluded that in every view it is better to make no removal at this time, as it would be certain to prejudice the appointments heretofore made. Too extensive a removal of public officers would cause me not only to be still more bitterly hated by the Whigs, but they would be joined in their enmity by the Democratic cliques, whose friends would be disappointed. I must, therefore, await the pleasure of Mr. H—— as to the time of his resignation. If he and S—— have a particle of nobleness of nature about them they will place their offices at my disposal by the last of this month, or some early day in January; if not, they may have the great satisfaction of being kicked out by Mr. Polk. I will stipulate nothing to S—— as to his successor. You may take occasion to say to Mr. Morriss that I have received his letter, and that all my dispositions are in the right place as to him, and that I only wait a favorable opportunity to manifest it.

The members of Congress are coming in in great numbers, and there exists

every prospect of a quorum to-morrow. The message, which is highly approved by the cabinet, will probably go in on Tuesday.¹ Mr. Dallas reached the city last night, and paid us, after church service, an unceremonious and friendly call, all in the right spirit. He will remain a day or two, on some matter, as he informs me, connected with the Supreme Court.

The session will be highly interesting, and yourself and your brother would, no doubt, be much gratified by looking upon the passing scene. I need not add that rooms are ready for your reception in this mansion always.

With best regards to all of the household, I am truly yours,

JOHN TYLER.

[MRS. TYLER TO MRS. GARDINER.]

PRESIDENT'S HOUSE, *December 6, 1844.*

Last evening I had a most brilliant reception. The British minister, Pakenham, was there with his secretary, and devoted to me. At least fifty members of Congress paid their respects to me, and all at one time. I did not enter the room until they had assembled. It really presented an array, and it was imposing to see them all brought forward, and introduced one by one.

Tell Alexander the king of the Democratic press, Ritchie, is out with a perfect eulogy on the President's message. To see him go as far we did not expect; but he says it is the ablest message he remembers ever to have read. This is another great triumph, for the tone of that paper gives a voice to Virginia, if not to the whole Democratic party. I shall send the *Richmond Enquirer* to Alexander, and after he has read it, I wish him to send it to Uncle Samuel, with what remarks he pleases to make. . . . The Chinese treaty is accomplished—Hurrah! The documents came in to-day, and will be sent to the Capitol in a few days. I thought the President would go off in an ecstasy a minute ago with the pleasant news.

[MRS. TYLER TO MISS MARGARET GARDINER.]

December 5, 1844.

MY DEAR SISTER: . . . The President's message has made a prodigious sensation. I want to hear Alexander's opinion of it. The President sent several copies to him, David, and Uncle Samuel; that is, one to each. Senator McDuffie says it is the finest that ever in any time proceeded from the White House. The style is the President's own, peculiar and beautiful, and of the truest simplicity. The whole cabinet yield it merited admiration. Oh! if it will only have the effect of admitting Texas!

[TO ALEXANDER GARDINER.]

WASHINGTON, *December 8, 1844.*

MY DEAR SIR: I forward you enclosed a draft from Corcoran & Riggs for \$1,000 on the Bank of America, the proceeds of which you will please apply towards the payment for articles of furniture ordered by Mrs. Tyler. For the balance, when informed of its amount, a similar remittance will be

¹ "I understand Pakenham speaks very admiringly of the message, and says its tone will be very satisfactory to his government."—*Letter of Mrs. Tyler.*

made, or your draft honored at sight, as may be most agreeable to you. I fear that Julia has subjected yourself, and other members of the family, to much trouble in this matter; but it is now nearly over, and will soon be remembered as among the things that have passed. Please advise me of the time of the vessel's departure; you are already informed that the place of delivery is *Kennon's Landing*, on James river. My estate lies in sight, and it may be found more convenient to anchor off my shore, and to deliver the articles to my lighter, which will come off. This arrangement can be made after my manager shall have been informed of the arrival of the vessel.

I have read with infinite pleasure, "Rubicon" in the *Aurora*. It is just and caustic. Was there ever a clique of such unprincipled men leagued together as that clique of *ancient leaders*? Their love of office is their controlling passion. In despite of them, however, we shall leave the government and country sound and prosperous; and if the annexation of Texas shall crown off my public life, I shall neither retire ignominiously nor be soon forgotten. The treaty with China has arrived, and will be submitted to the Senate either to-day or to-morrow; and since my message the pleasing information has come to hand of the payment of the indemnity in the case of the Brig Morriss, by *Venezuela*. I had pondered over other measures of enduring interest, but my sun is now too near the verge of the horizon to enable me to consummate them, and so "ends my catechism."

Your letter relating to the Brooklyn postoffice reached me too late for action; and in some sort it is better that Mr. Polk should have free play. Let the fight take place among the partisans of the "two houses" for the spoils. Each particular victory will increase the feud, and the country will look to a third person for peace. Broderick's appointment will stand firm. I spoke to Bibb yesterday.

We are looking for accessions to our domestic circle from Lafayette place at an early day. Present me cordially to all, and be assured of my sincere regard and friendship,

JOHN TYLER.

In Congress the contest immediately arose over annexation. The late elections had given the question a national turn which could no longer be doubted. While both the senators from New Hampshire, and one from Maine, voted for annexation, both the senators from Virginia, and one from Louisiana, voted against it. The fire commenced furiously all along the line. C. J. Ingersoll, of Pennsylvania, in the House, and George McDuffie in the Senate, immediately proceeded to carry out the suggestions of the President, by introducing the rejected treaty in the form of joint resolutions. If the murderers of Texas only saw the ghost of the late treaty in the late elections, they now beheld it like Lazarus restored to actual life. It was a sign of victory that most of the objections hitherto urged against the acquisition of Texas

had been yielded, and the battle fought upon the constitutionality of annexation by joint resolution. There the friends of annexation were impregnable. They had only to take the literal reading of the Constitution, and compel the enemy to prove an intention foreign to its terms. The lucid statement of Mr. Bancroft, in his *Constitution-History* (ii., p. 162), shows how little ground really the enemy had to stand upon.¹

The enemy were not magnanimous enough to yield themselves as vanquished without more ado, but insisted on modifying the resolutions of Ingersoll by extending the line of thirty-six degrees thirty minutes through the proposed territory. To this there was no objection from the administration other than that the provision might give occasion to new negotiations with Texas, and thus jeopard the measure by delay. As thus modified in the bill of a Whig, Milton Brown, of Tennessee, they passed the House on the 25th of January.

"Rejoice with me," wrote the President two days after, "on the passage of a bill for annexing Texas to the Union through the House, by a majority of twenty-two votes. I entertain strong hopes that it will pass the Senate. A greater triumph was never achieved than that already accomplished." Out of the vote cast fifty-three Northern men voted for Texas, and eighty against it.

The battle in the Senate was of a longer duration. This was due to the equivocal position of Benton and his *loco-focos* to the party, which had slain their leader and repudiated them. Had party not intervened, a vote of two-thirds would have been promptly cast for the resolutions; most of the senators declaring themselves in favor of annexation, but going off on all sorts of untenable objections to excuse their opposition at this time. Benton proceeded, like a good tactician, to get back into his old place among the Democrats. He first introduced, on the 11th of December, his bill of 10th June, 1844, providing "for a treaty with Texas with the consent of Mexico, or without it when Congress should deem such assent unnecessary." He, however, soon found himself compelled to take another step forward. On the 5th of February, he proposed a bill in which nothing was said of the consent of Mexico, and which acknowledged the right of Con-

¹ McDuffie's letter to the editor of the *Globe*, *Congr. Globe*, 1844-'5, p. 274, contains also a very fine argument. See also Mr. Buchanan's speech.

gress to admit new States, by providing for a "mission to negotiate terms of annexation, to be submitted to the Senate by the executive, and ratified as a treaty, or as articles to the two Houses of Congress, to be directly passed upon by them." The highly complimentary language which Benton used in respect to Mr. Polk indicated very clearly the motives by which the *locos* were impelled. How they would stand with reference to the new administration was a question of potent consideration with "ye ancient leaders."

Until the latter part of February the parties in the Senate stood antagonized,—Mr. Benton planting himself upon his ridiculous proposition, and the majority scorning to be captured by the senator from Missouri through the medium of his bill. While the Virginia Legislature refused to pass resolutions instructing her senators on the subject, the legislatures of Michigan, New Hampshire, and Maine,—the extreme northern States,—urgently called for the annexation of Texas as a great national measure.

At length Mr. Robert J. Walker undertook to help the poor *locos* out of their disagreeable predicament, and to enable them to escape with some little grace from their attitude of opposition. He proposed to unite the two plans—the House plan and Benton's plan—and give the President power to choose between them. Benton caught eagerly at the expedient. It had been long felt that his design was merely to obtain terms, since on principle his own proposition yielded as much as the House resolutions. On the 23d of February Mrs. Tyler wrote: "The Texas question looks very encouraging. It is confidently expected to be passed this week. The prospect is quite bewildering; for it is the President's last remaining desire."

At this time the whole country was in a whirl of excitement. Daily every avenue of the Senate was filled with persons from all parts of the Union. Foreign ministers, agents and officers of all departments of government, were there. On the 19th of February President Tyler gave a party at the White House, which was attended by more than two thousand persons. A *bon mot* of the President went the rounds of the papers. When some one congratulated him upon the brilliant gathering of the beauty and fashion of the land, he replied: "Yes, they cannot say now that I am a *president without a party*."

When the vote was taken in the Senate on Walker's expedient, Mr. Miller moved to strike out all after the word "resolved," and insert Benton's bill of June 10, 1844. He said that this was the same proposition which was introduced by the senator from Missouri in December, 1844. Mr. Benton answered from his seat that he would vote against it. Then Mr. Miller appealed to him not to "kill his own child." But the wretched Benton said that he would "kill it stone dead." This inglorious declaration was followed by general laughter, with an attempt at cheering, suppressed by the president.

The bill passed the Senate February 27, 1845, by twenty-seven to twenty-five. Merrick, Whig senator from Maryland, and Johnson, Whig senator from Louisiana, Allen Benton, Fairfield, and Tappan, *loco-focos*, who voted against the treaty in June, 1844, now recorded their votes for Texas. Foster, Whig senator from Tennessee, who had first proposed in the Senate the same resolutions as Milton Brown's, would have voted for them as originally offered, but declined to do so when loaded down with Mr. Benton's proposition, which he viewed as hostile to the South. When the bill returned to the House, Milton Brown, and the other seven State-rights Whigs (except Stephens, who did not vote) who had voted for the resolutions as they passed the House, now voted against them for the same reason as Foster. On the other hand, the Northern and Western *loco-focos* in the House eagerly followed the example of Benton, and voted for the bill, which passed by one hundred and thirty-two to seventy-six, the Southern and Northern votes being very nearly even. Indeed, there were plenty of Southerners like Senator Barrow, of Louisiana, and Waddy Thompson, of South Carolina, who held that the annexation of Texas was the most fatal blow possible to slavery. Extremists on slavery, like "Barbarossa," characterized annexation as a Yankee trick to drain the Southern States of their slaves, and instanced Buchanan's speech on the Texas treaty as a proof of it.¹

One hundred guns from the Capitol announced the glorious result to the country.

The resolutions reached the President three days before the expiration of his term of office. The great prize for which he had striven was in his hands. He signed the resolutions, and the

¹ "Lost Principle," p. 218.

question arose to his mind whether he should himself make the selection between the alternatives of the bill, or leave the subject with Mr. Polk. This question was as honorable to himself as was the means he took to answer it. Eagerly as he wished to consummate the act of annexation, anxious as he had worked for it for years, desirous as he was to select between the alternative propositions, was there not something due to Mr. Polk, with whom he had fought the canvass, and had won the victory? He never suspected for a moment that Polk would chose any other than the House resolutions, which submitted a definite proposal to Texas; for Mr. Polk, in his letter of April 23, 1844, had said: "*I have no hesitation in declaring that I am for the immediate re-annexation of Texas;*" while the Texas plank adopted at Baltimore pledged him likewise to the same policy. The conviction that Polk would act like himself was the very source of the President's embarrassment; and it was a new development afterward to learn that Benton charged Polk with a commitment in private to his cumbersome alternative proposition of "missions and negotiations."

But the President was aware of the active machinations of the British envoy, Capt. Elliott, who was moving heaven and earth to induce Texas to renounce annexation on the assured condition of independence. The matter did not admit of delay. He pursued the proper course. He established the necessity of action by the concurrent testimony of the Secretary of State and the cabinet, and then directed Mr. Calhoun to wait upon Mr. Polk and submit to him the instructions to our agent in Texas. Mr. Calhoun did as he was directed, but Mr. Polk declined any interference in the matter, and was understood by his silence as concurring, or at least acquiescing, in Mr. Tyler's course.

And so it was, that on the day after the cabinet meeting, Monday, March 3rd, the instructions drawn by Calhoun on the basis of the House resolutions were dispatched, with the President's sanction, to Major Donelson, in Texas, in the care of Floyd Waggaman, the President's nephew, thus inducting Texas into the Union, so far as the government of the United States could do it,—an imperial domain on the map of the nation, standing as an imperishable monument to the wisdom and patriotism of Mr. Tyler. About the same time also the President signed bills admitting Florida and Iowa into the Union.

The following is a statement, drawn by Mr. Tyler in 1848, and endorsed by the members of his cabinet, respecting the events of his last hours:

[EX-PRESIDENT TYLER TO HON. WILLIAM WILKINS.]

[*Private.*]

SHERWOOD FOREST, CHARLES CITY CO., VA., Nov. 27, 1848.

MY DEAR SIR: I have deemed it quite important that the facts which transpired during the last three or four days of my administration, relating to the annexation of Texas, should be preserved in an authentic form; in order to accomplish which I have embodied them in a statement, a copy of which I now forward you. So much thereof as relates to interviews between Mr. Calhoun and myself, both before and after the meeting of the cabinet, I cannot expect you to authenticate, and therefore confine myself to the request that you will look over all that purports to narrate what transpired at the cabinet meeting. I have already submitted the statement to Mr. Calhoun, who concurs in it as now presented. Will you do me the favor to look over it, and make such suggestions as may occur to you to be necessary, and communicate with me at your earliest convenience? My object is to avoid all diversity of statement as to the facts.

I am, dear sir, truly and faithfully yours,

JOHN TYLER.

[*A statement of what transpired after the passage of the joint resolutions for the annexation of Texas to the United States.*]

The resolutions reached me, and received my approval, on the 1st day of March, 1845. My official term expired on the 4th of the same month. After my approval had been officially given to the resolutions, Mr. Calhoun, the Secretary of State, called on me, and the conversation immediately turned to the subject of the resolutions. Mr. Calhoun remarked that the power to make the selection between the alternative resolutions rested with me, and that he hoped I would not hesitate to act. I replied that I entertained no doubt in the matter of the selection; that I regarded the resolution which had been moved and adopted in the Senate, by way of amendment to the House resolution, as designed merely to appease the discontent of some one or two members of that body, and for no other purpose; and that my only doubt of the propriety of immediate and prompt action arose from a feeling of delicacy to my successor. We both regarded the opening of a new negotiation, as proposed by the Senate resolution, as destined to defeat annexation altogether,—that Texas, in consequence of the defeat of the late treaty by the Senate, would listen reluctantly to any new proposition for negotiation; that this reluctance would be greatly increased by reason of the very small majorities in Congress by which the resolutions had passed, which might well create a doubt whether a two-thirds vote could be obtained for the ratification of a treaty, and that these doubts might very wisely incline Texas to throw herself upon the good offices of Great Britain and France, with a view to obtain the recognition of her independence by Mexico, in preference to relying on the uncertain contingency of a new negotiation. Upon the point of delicacy

to my successor, Mr. Calhoun urged strongly the necessity of immediate action, which he regarded as sufficiently great to overrule all other considerations. It was enough that Congress had given me the power to act by the terms of the resolutions, and that the urgency of the case was imminent. I give the substance of what transpired, not the words. The conversation terminated by my requesting him to summon a cabinet for the next day.

The next day the whole cabinet assembled; every member gave a decided preference to the House resolution over that of the Senate. I stated to the gentlemen that the only doubt that could exist as to the propriety of immediate action by me might be found in the fact that, as my term of office expired on the Tuesday following, it might bear the appearance of indelicacy to my successor, and imply a want of confidence in him I did not feel, if in the last hours of my official term I anticipated his action; and that it was mainly on this point I desired their advice. All concurred in the necessity of immediate action. Mr. Polk and his cabinet would necessarily require time to look around them after he and they were installed in office, and that, if Texas was lost by delay, the censure would fall on my administration. The same considerations for prompt action which have already been mentioned as having occurred in the interview with Mr. Calhoun the day before were again repeated. In their force I fully concurred, and suggested, as an expedient that would save the point of delicacy, that Mr. Calhoun should wait on Mr. Polk, inform him of my action on the subject, and explain to him my reasons therefor. The suggestion was fully approved. Mr. Calhoun waited on Mr. Polk, after the meeting of the cabinet, and reported to me the substance of the interview the next morning, which was, that Mr. Polk declined to express any opinion or to make any suggestion in reference to the subject. The instructions to Mr. Donelson, being submitted to and approved by me, were dispatched on the same day.

The President had concluded his administration in what the *Enquirer* styled a "blaze of glory." Mr. Tyler had honestly sought to act the part of a president of his whole country. He found it sunk in the depths of despair, and "he left the government and country prosperous and sound." He had crushed all his enemies, while the annexation of Texas enabled him to retire to private life "neither ignominiously, nor soon to be forgotten." Victory after victory had he gained, under trials the most unprecedented; but Texas was the "crown of crowns."

On his departure from the White House, an impressive scene ensued, which is described in a letter of Mrs. Tyler:

"A formal and feeling address was delivered by a distinguished private citizen. It was unexpected, and the President's reply a spontaneous effort. And to you, dear Mary,¹ I may say it seemed supernatural, so happy and

¹ Mrs. E. N. Horsford, of Cambridge, Mass.

beautiful was it. I never had an idea of the power of true eloquence until then. You must remember his peculiar voice. It received additional sweetness as it broke forth in quivering tones, with: 'Sir, you do yourself great injustice. Say you that this offering is an "unpolished stone?"—it is a *brilliant* gem, polished by the hand of friendship, and sparkles *rare* upon my heart.' The expression and tone of voice as it rose and fell were irresistible. There was a cry of admiration from those around, and in the course of his response the sternest in that throng gave way to the emotion that completely overwhelmed the rest."¹

¹ The following is from the correspondence of the *Journal of Commerce*:

RETIREMENT OF EX-PRESIDENT TYLER AND FAMILY.

WASHINGTON, *March 3, 1845.*

I witnessed this evening at the White House a very interesting scene. Early this afternoon President Tyler threw open the national mansion. He had engaged apartments at Fuller's Hotel, to which place the private household goods of the President and family had been sent. A large concourse of ladies and gentlemen crowded the White House to call upon him and lady, who received them in the reception room. They appeared in excellent spirits. Near the President and lady stood several of the cabinet ministers with their families. At five o'clock the President had arranged with his friends to leave the White House and go to Fuller's. As the hour drew near, his numerous personal friends drew closer around him, among whom were many of the most worthy and respectable private citizens of Washington, to whom Mr. Tyler had endeared himself by his many amiable traits of social life. Tears were seen to start to the eyes of many of them as they shook him warmly by the hand.

About five o'clock, General Van Ness, of Washington, approached the President, and delivered an eloquent and feeling address to him. He complimented the President on the many social ties which had, during the brief period of his administration, grown up between the citizens of the District and him, and which were now about to be severed. He gave assurances of the kindest regard of the people for his moral and social worth, expressing the sincere regret all felt on parting with him. He alluded to the important events which had so eminently distinguished his administration; the peaceful relations which had been strengthened and extended over the whole world during his administration, many of which were of a character to reflect honor both upon himself and the country. He said, when time had been given for the effervescence of political party strife to subside, and the people in moments of calmness came to review the honest, patriotic and well intended measures of his administration, they would mete out to him in his retirement that justice and praise which he so richly deserved at the hands of his fellow citizens. Assuring him that the best wishes of all would attend him when he retired, and engaged in the more pleasant and peaceful pursuits of domestic life, he expressed wishes for his continued prosperity and happiness. In private life, the vexations growing out of the administration of public affairs, with his best acts and motives misrepresented, would cease to annoy him.

With many other well conceived and well expressed remarks, the mere random substance of which I am only able to allude to, the speaker concluded by saying, that he only regretted that the *gem* he had attempted to offer for the acceptance of the President was not better polished.

[ALEXANDER GARDINER TO MISS MARGARET GARDINER.]

WASHINGTON, *March 4, 1845.*

MY DEAR SISTER: To-day we have had the inauguration, and I would not go a half mile to see the ceremony repeated. None of us attend the inauguration ball to-night, the President deeming it more dignified and proper that himself and Julia should remain at home, and none of the rest of us caring to go after the fatigues of the week. Last night I was at the Capitol until the adjournment of Congress, passing most of the time in the executive chamber, with the President and cabinet, for whom a very good supper was served.

The President made one of the happiest replies I ever heard. He very briefly thanked the speaker for the kind expressions of the good will of his fellow citizens, and especially for their complimentary allusion to his social hospitalities and the relations which had grown up between them, and which were now about to be severed. The offering was a brilliant gem, of the brightest polish, and of inestimable value.

He said, when called from the plow by an act of Divine Providence, to assume the high and responsible duties which devolved upon him, he knew he was leaving a bed of down to repose upon a bed of thorns--and was happy that he was about to return from this bed of thorns to one of down. His successor left his bed of down, and was now about to repose upon the bed of thorns which he was leaving. He relied on future history, and on the candid and impartial judgment of his fellow citizens, to award him the meed due to honest and conscientious purposes to serve his country.

He came into the administration standing almost alone, between the two great parties which divide the country. A few noble-hearted and talented men rallied to his support, "*denominated a corporal's guard*," one of whom (Cushing) had just returned, having concluded an important treaty with a vast empire, and thrown open the trade of more than one hundred millions of people to American commerce. Another (Wise) was at this time performing the most important services in Brazil for the prevention and final extermination of the African slave-trade. (Frequent interruptions took place from the thundering applause, with the clapping of hands, etc.)

The day has come when a man could feel proud of being an American citizen. He could stand on the North-eastern boundary line, or on the shores of the Rio Grande del Norte, and contemplate the extent of our vast and growing Republic, the boundaries of which had been settled and extended by peaceful negotiations.

He was happy, in leaving the government, to know it was come into the hands of a successor who had been elevated by correct principles to take his place.

He said the acquisition of Texas was a measure of the greatest importance. (Applause.) Our children's children's children would live to realize the vast benefits conferred on this country by the union of Texas with this country.

He briefly alluded to our favorable, peaceful relations with other countries, brought about by friendly treaties, etc.

He concluded by expressing the pleasure he anticipated when engaged in the quiet pursuits of private life, free from the cares and responsibility of official station.

During the delivery of these interesting speeches there was scarcely a dry eye among the numerous persons who crowded around the speakers. These cere-

The ladies were not admitted, and Julia, after waiting awhile with the ladies of the cabinet, finding this to be the case, declined making any special application, and returned home. I was present at the adjournment of the House, about two-and-a-half o'clock in the morning, and heard the valedictory of the speaker.

The President and family left the executive mansion yesterday at five o'clock. Some three or four hundred of his friends filled the blue room, and escorted him in carriages and on foot to his temporary quarters at Fuller's. In the blue room he was addressed by Gen. Van Ness, in highly complimentary terms, and his reply, polished by a melodious voice and most graceful and dignified manner, drew tears from almost every eye. It was the happiest and most touching thing that I ever heard. Upon the arrival of the cortege at Fuller's, double lines were formed to the door, and loud cheers arose from the large concourse assembled, among whom were some fifty or sixty delegates from the White Eagle and Empire clubs of New York. During the rest of the afternoon and evening the rooms were crowded with visitors, calling to pay their parting respects. This morning I was aroused by a salute from cannon in front of the premises, and renewed cheers for John Tyler. So he emerged from the storms of this wonderful administration in complete triumph and happy sunshine.

The family may leave for Virginia to-morrow morning, but probably not before Thursday or Friday. I shall return as soon as I can do so with safety and comfort. I say safety, for the cars will be filled with the outpouring multitude to an extent which will render them almost unsafe for a day or two.

Mrs. Semple is here—a fine looking and accomplished woman; so are Robert, John and Alice. Mrs. Semple, I believe, goes on to Philadelphia with Robert.

Don't look for me before my return. Yesterday I saw Judge Nelson inducted as Judge of the Supreme Court of the United States.

Your affectionate brother, ALEX. GARDINER.

[MRS. TYLER TO MRS. GARDINER.]

POWHATAN HOUSE, RICHMOND, *March 6, 1845.*

MY DEAR MAMA: We arrived in this city at two o'clock, and as we will have to tarry until the morning, I feel that I must *make* a leisure moment, and detail some of the striking, and *very, very* interesting events of the past week, ere I reach Sherwood Forest. And yet, how vain it seems! How in-

monies over, the President's family and friends proceeded in carriages to Fuller's Hotel, where a large crowd had already assembled, who most enthusiastically cheered him, which he acknowledged while standing bare headed on the steps of the hotel. The scene was enlivened by the presence of the gunners, a kind of artillery company, with red uniforms and gray badges, etc., from New York, who arrived with their guns to-day, about twelve o'clock, and who, I had first thought, had come from Baltimore. They are likely-looking young men, who belong to the "White Eagle Club," in New York.

adequate would be any description I could give, with even time before me! The last word has been spoken—the last link is broken, that bound me to Washington, and I should like you to have witnessed the emotions, and heard the warm expressions that marked our departure. Let me see—where shall I begin? I will go back to Saturday, though I shall have to be very brief in all I say. Saturday, then, the President approved the Texas treaty, and I have now suspended from my neck the immortal golden pen, given expressly for the occasion. The same day we had a brilliant dinner party for Mr. and Mrs. Polk. I wore my black-blond over white satin, and in the evening received a large number of persons. On Sunday the President held a cabinet council from compulsion; on Monday a Texas messenger was dispatched; on Sunday evening *Mrs. Semple* arrived; on Monday, in the morning, we concluded our packing. Mrs. Wilkins and Mrs. Mason came up to my bedroom, and sat a little—while I made my toilette—offering their services in any way. At five in the afternoon, a crowd of friends, ladies and gentlemen, assembled in the blue room, to shake hands with us and escort us from the White House. As the President and myself entered they divided into two lines, and when we had passed to the head of the room, surrounded and saluted us. Gen. Van Ness requested them to stand back, and himself stepped forward and delivered, “on behalf, and at the request of many lady and gentlemen citizens of Washington,” a farewell address. I saw, before he concluded, a response of some kind would be almost necessary from the President, and I felt a good deal concerned, for I knew he had prepared none, and had not expected to make any; but I might have spared myself all and every fear, for as soon as the General finished, he raised his hand, his form expanded, and such a burst of beautiful and poetic eloquence as proceeded from him could only be called *inspiration*. His voice was more musical than ever; it rose, and fell, and trembled, and rose again. The effect was irresistible, and the deep admiration and respect it elicited was told truly in the sobs and exclamations of all around. As they shook us by the hand when we entered our carriage they could not utter farewell.

The “Empire Club,” *en costume*, was present, and cheered again and again. They followed in the procession which was formed to the hotel, and cheered as we alighted. Among the ladies present whom you know, besides the cabinet ladies, were Mrs. Roosevelt, Mrs. Beeckman—but I have not time to think and enumerate. At the hotel our visitors did not fall off. We did not attend either the inauguration ball, and the next morning we determined to depart from Washington, adopting “French leave;” but when we reached the wharf at nine o’clock in the morning, the boat had gone, and we had to return, almost to our regret. All that day, which was yesterday, our parlor was thronged. Among the visitors was *Dr. Rogers*,¹ again with Mrs. Pyne. We left at night, and an immense fire in the city raging—the theatre and many houses. We had a most affecting parting with our cabinet: all the ladies wept, and poor Mr. Wilkins almost *sunk* with emotion. But Alexander can

¹ Mrs. Gardiner’s family physician, when Mrs. Tyler was a child, Dr. J. Kearney Rogers, of New York.

better tell you all these really impressive and not easily forgotten scenes than I can write them. Since my arrival in Richmond, we have been called upon by a number of the best citizens. Among others, Mr. and Mrs. and Miss Ritchie, who promise for me some very agreeable neighbors on James River. There is a *Miss Delafield* and a *Miss Rogers*, from New York at this house. And now I must bid you adieu in the greatest haste. In the morning, at six o'clock, we start again, for "Sherwood Forest," in the steamboat, and shall reach it at twelve o'clock. We left Washington at nine last night, but did not start from the wharf until three o'clock this morning. Direct to "Sherwood Forest," Charles City County, Virginia, and believe me, your affectionate daughter,

JULIA G. T.

CHAPTER XIII.

1841-'45.

"Have you been disappointed in the reform which you promised yourselves by going into the contest?" (of 1840).—JOHN TYLER.

*"TYLER AND REFORM."—NO DEFAULTERS.—REDUCTION OF EXPENSES.—EXTRACTS FROM MR. TYLER'S MESSAGES.—MR. TYLER'S REVIEW OF MR. CORWIN'S TREASURY REPORT.—INTERNAL IMPROVEMENTS.—MR. TYLER AND THE TELEGRAPH.—LETTERS TO THE COMMON COUNCIL OF NEW YORK AND DR. SPRAGUE ON THE TELEGRAPH.—MR. TYLER'S ADDRESS, "THE DEAD OF THE CABINET."

IN his "Twenty Years in Congress," Mr. Blaine says that the "Southern leaders constituted a remarkable body of men." "Too often ruinously lavish in their personal expenditures, they believed in an economical government, and throughout the long period of their domination they guarded the Treasury with rigid and unceasing vigilance against every attempt at extravagance, and against every form of corruption." The spectacle that has been presented since another section than the South undertook the domination of the Union has precisely reversed the picture. Enormous expenditures, vast surpluses in the Treasury, which threaten a repetition of the scenes of 1837 and 1839, public defaulters going unwhipt of justice, the cabinet and ex-presidents converted into speculators and stock-jobbers, the first secretaries of the administration charged with and tried for embezzlement; why should not history write of these leaders: "Too often ruinously lavish of the public expenditures, they believed in private economy, and throughout the long period of their domination they plundered the Treasury with rigid and unceasing vigilance in every ingenious manner and in every form of corruption"? This judgment may appear to be harsh, but the history of the Union from the assumption of the State debts, in 1790, down to March, 1861, when a tariff bill was passed in the face of civil war—indeed, to precipitate it—leaves no other conclusion to the mind than that the disgraceful words of Gorham (uttered when Virginia delegates were dealing a most fatal blow at slavery), that "New England

had no motive to union but a commercial one," was the settled policy of too many of her school.

Possibly a closer examination would show that the rents in the private fortunes of Southern men were due more to a system of laws which, Mr. Sumner admits, imposed upon the South the entire support of the government than to personal fault. Certainly we have no lack of lavish men in the North. One of the greatest of them, Mr. Webster, made his thousands, but was always careless and moneyless. Now it was Mr. Webster who said of Mr. Tyler, "that in all things respecting the expenditure of the public moneys he was remarkably cautious, exact, and particular."¹

It is the object of this chapter to examine how far Mr. Tyler redeemed the pledges of reform made to the country in the canvass of 1840; for the Whig party of that day did have a platform, and a very distinct one at that, though not formulated by a national convention.

And first, it was a great Whig principle that the departments should be purified of the defaulters that infested them under the rule of Van Buren. Mr. Tyler, soon after his accession, instituted a commission to examine the New York Custom House. Their report, made at the session of 1841-'42, showed the astonishing length to which the corruptionists had carried their work, and possessed the administration of the means fully to counteract them. In his address, vindictory of himself on withdrawing from the canvass of 1844, Mr. Tyler proudly challenged the records for the name of a defaulter. The enemy, indeed, made a poor show of charging corruption upon an administration whose character was simply unimpeachable. After the presidential election in 1844, the anonymous writers of Whig newspapers, assisted by their congenial allies of the *loco-foco* type, busily insinuated charges of flagrant corruptions in the departments—especially the post-office. Congress took the subject up, and called upon the President for information. In the meantime, committees were appointed by the House to investigate certain contracts of the departments with the Bensons and a man named James C. Zabriskie. The report upon the former case was laid on the table by unanimous consent. The Zabriskie contract was referred to a committee, whose chairman was one of the bitterest of the President's enemies. This

¹ Curtis' Webster, ii., p. 275.

gentleman made a report by which it appeared that the government had not suffered in the remotest degree; that the contract was at the usual price; that all the objection to it lay in an officer of the government's having received the profits of its sale, instead of some other person; and that, as soon as Mr. Tyler discovered there was a taint of illegality in the contract from this cause, he had it abrogated.

In obedience to the call of the House, Mr. Tyler summoned his cabinet together and made careful investigations into the condition of the departments. The result was that very few administrations (if any) can point to a record like the following:

SPECIAL MESSAGE, FEBRUARY 21, 1845.

To the House of Representatives of the United States:—

In compliance with your resolution of the 23d of January last, asking information "if any, and what, officers of the United States have been guilty of embezzlement of public money since the 19th of August, 1841; and further, whether such officers have been criminally prosecuted for such embezzlement; and if not, that the reasons why they have not been so prosecuted be communicated," I herewith transmit letters from the Secretaries of the Treasury, War and Navy departments, and the Postmaster-General, and from various heads of bureaus, from which it will be seen that no case of embezzlement by any person holding office under the government is known to have occurred since the 19th of August, 1841, unless exceptions are to be found in the cases of the postmaster at Tompkinsville, Kentucky, who was instantly removed from office, and all papers necessary for his prosecution were transmitted to the United States District Attorney; and John Flanagan, superintendent of lead-mines of the upper Mississippi, who was also removed, and whose place of residence, as will be seen by the letter of the head of the ordinance bureau, has been, and still is, unknown.

JOHN TYLER.

It was, secondly, a great Whig principle that the expenses should be reduced. From 1816 to 1837, the finances were so managed that the revenue was always greater than the expenditures. Mr. Van Buren, without suggesting any expedient to counteract the deficiency in the revenues, consumed, above the receipts, \$31,310,014.20, leaving a balance of \$572,717.46. This sum consisted of the fourth installment under the distribution act of 1836, amounting to \$17,109,473.26, Treasury notes to the amount of \$5,648,512.40 and \$9,124,747 arising from other sources than those of ordinary revenue. Van Buren's debt amounted to \$5,648,512.40 on the 4th of March, 1841. Mr. Tyler's first year was charged with the outstanding appropriations of Mr. Van

Buren's last. In his report, June 3, 1841, Mr. Ewing estimated that a deficit would result for the year of \$12,088,215.88,—making a total debt, January 1, 1842, when Mr. Tyler's responsibilities began, of about \$17,736,728.88. As the debt, according to Walker's report in December, 1845, stood at \$17,075,445.52 in October, 1845, it followed that the average receipts during Mr. Tyler's administration were once more made to cover the average expenses.

From the total expenses, Mr. Tyler might fairly require the expenses, or much of them, of the extra session, and long session of 1841, to be deducted, employed as they were by the Whigs in abuse of him and against his judgment.¹

But I need not go further in this matter than to cite the authority of Mr. Corwin, Secretary of the Treasury under Mr. Fillmore.² Mr. Tyler was not to be deterred from pursuing the wise policy of building up the navy by an affectation of economy. The estimates, therefore, for 1842 were higher than for the succeeding year. From Mr. Corwin's careful and elaborate report we learn that the annual expenditures from 1828 to 1841, ranged from \$12,530,846.43 in 1828 to \$25,745,776.28 in 1841;³ the average annual increase being \$943,923.56, exclusive of all expenses for collecting the revenue and payments made on account

¹ The expenses of these two sessions of Congress, compiled from a statement in the Washington *Madisonian*, being pay of members, etc., are as follows:

Since the assembling of the extra session each member has received for his per diem pay \$2,992,—amount for 290 members,	\$867,680
Travelling backwards and forwards four times, at \$8 per 20 miles, say \$1,500 each,	435,000
A donation of books voted to themselves, amounting, we learn, precisely to (\$130 to each one),	36,668
Printing (Gales & Seaton), stationery, officers of Congress, etc.,	228,000
	<hr/>
	\$1,567,348

² Executive Documents, 1850-'51, No. 11, p. 9.

³ From statement R. of Mr. Corwin's Report, we learn the figures in detail:

VAN BUREN'S ADMINISTRATION.	TYLER'S ADMINISTRATION.
1838, ----- \$31,468,829.04	From January 1 to June 30, 1842, \$12,888,228.63
1839, ----- 25,410,050.67	“ July 1, 1842 to June 30, 1843, 22,724,205.78
1840, ----- 23,249,626.95	“ July 1, 1843 to June 30, 1844, 19,835,793.48
1841, ----- 25,745,776.28	“ July 1, 1844 to June 30, 1845, 21,273,705.67
	“ July 1 to December 31, 1845, 15,227,713.58
\$105,874,282.94	<hr/>
	\$91,949,647.14

of the public debt. The expenditures for the four succeeding years, from 1841 to 1845, averaged \$22,987,411.78, a diminution in the average as compared with the four preceding years of \$3,481,158.95, amounting in the aggregate to \$13,924,635.80.

Another great Whig principle was, that the currency should be restored to perfect soundness. Mr. Tyler kept the government moneys, during his entire administration, without any other guide than the law of 1789 establishing the Treasury department and the resolution of 1816. The revenues were deposited in carefully selected banks, and secured by government stock. It cannot be doubted that the miraculous change, which had already set in, during the fall of 1843, in the economic condition of the country, was due in great measure to the discreet management of the administration respecting the public funds. Mr. Tyler found the currency "shin-plasters;" he left it gold and silver and Treasury notes at par; he found exchanges as high as twenty cents, and left them at little more than what was required to convey specie from place to place; he found State stocks as low as thirty cents, and he left them nearly par. And this was effected under circumstances which are eloquently summed up in Mr. Tyler's two last annual messages.

[CONCLUSION OF MR. TYLER'S MESSAGE IN DECEMBER, 1843.]

When, under a dispensation of Divine Providence, I succeeded to the presidential office, the state of public affairs was embarrassing and critical. To add to the irritation consequent upon a long standing controversy with one of the most powerful nations of modern times, involving not only questions of boundary (which, under the most favorable circumstances, are always embarrassing), but, at the same time, important and high principles of maritime law. Border controversies between the citizens and subjects of the two countries had engendered a state of feeling and of conduct which threatened the most calamitous consequences. The hazards incident to this state of things were greatly heightened by the arrest and imprisonment of a subject of Great Britain, who, acting (as it was alleged) as a part of a military force, had aided in the commission of an act violative of the territorial jurisdiction of the United States, and involving the murder of a citizen of the State of New York. A large amount of claims against the government of Mexico remained unadjusted, and a war of several years' continuance with the savage tribes of Florida still prevailed, attended with the desolation of a large portion of that beautiful territory, and with the sacrifice of many valuable lives. To increase the embarrassments of the government, individual and State credit had been nearly stricken down, and confidence in the general government was so much impaired, that loans of a small amount could only be negotiated at

a considerable sacrifice. As a necessary consequence of the blight which had fallen on commerce and mechanical industry, the ships of the one were thrown out of employment, and the operations of the other had been greatly diminished. Owing to the condition of the currency, exchanges between different parts of the country had become ruinous, and trade had to depend on a depreciated paper currency in conducting its transactions. I shall be permitted to congratulate the country that, under an overruling Providence, peace was preserved without a sacrifice of the national honor; the war in Florida was brought to a speedy termination; a large portion of the claims on Mexico have been fully adjudicated, and are in course of payment, while justice has been rendered to us in other matters by other nations; confidence between man and man is in a great measure restored, and the credit of this government fully and perfectly re-established. Commerce is becoming more and more extended in its operations, and manufacturing and mechanical industry once more reaps the rewards of skill and labor honestly applied. The operations of trade rest on a sound currency, and the rates of exchange are reduced to their lowest amount. In this condition of things, I have felt it to be my duty to bring to your favorable consideration matters of great interest in their present and ultimate results; and the only desire which I feel in connection with the future is, and will continue to be, to leave the country prosperous, and its institutions unimpaired.

[CONCLUSION OF MR. TYLER'S LAST ANNUAL MESSAGE.]

I have thus, gentlemen of the two Houses of Congress, presented you a true and faithful picture of the condition of public affairs, both foreign and domestic. The wants of the public service are made known to you; and matters of no ordinary importance are urged upon your consideration. Shall I not be permitted to congratulate you on the happy auspices under which you have assembled, and at the important change in the condition of things which has occurred in the last three years? During that period, questions with foreign powers of vital importance to the peace of our country have been settled and adjusted. A desolating and wasting war with savage tribes has been brought to a close. The internal tranquillity of the country, threatened by agitating questions, has been preserved. The credit of the government, which had experienced a temporary embarrassment, has been thoroughly restored. Its coffers, which for a season were empty, have been replenished. A currency, nearly uniform in its value, has taken the place of one depreciated and almost worthless. Commerce and manufactures, which had suffered in common with every other interest, have once more revived, and the whole country exhibits an aspect of prosperity and happiness. Trade and barter, no longer governed by a wild and speculative mania, rest upon a solid and substantial footing; and the rapid growth of our cities, in every direction, bespeaks most strongly the favorable circumstances by which we are surrounded. My happiness, in the retirement that shortly awaits me, is the ardent hope which I experience that this state of prosperity is neither deceptive nor destined to be short-lived, and that measures which have not yet received its sanction, but which I cannot but regard as closely connected with the honor, the glory,

and still more enlarged prosperity of the country, are destined, at an early day, to receive the approval of Congress. Under these circumstances, and with these anticipations, I shall most gladly leave to others more able than myself the noble and pleasing task of sustaining the public prosperity. I shall carry with me into retirement the gratifying reflection that, as my sole object throughout has been to advance the public good, I may not entirely have failed in accomplishing it; and this gratification is heightened in no small degree by the fact that when, under a deep and abiding sense of duty, I have found myself constrained to resort to the qualified veto, it has neither been followed by disapproval on the part of the people, nor weakened in any degree their attachment to that great conservative feature of our government.

And here it may be well to give the following comment of Mr. Tyler upon Mr. Corwin's Treasury report, written anonymously for Col. Cunningham's paper, the *Portsmouth Pilot*.

THE TREASURY REPORT OF MR. CORWIN.

(*Mr. Tyler's administration of the finances.*)

There is a candor, real or apparent, in Mr. Corwin's Treasury Report in relation to the administration of the finances during the four years of Mr. Tyler's term, which we frankly confess we had not expected from that quarter. It is so much the habit of the day to *keep close*, to use a familiar phrase, in reference to the acts of that administration, glorious though they be, whenever developed, and destined to be written in a pencil of light on the pages of impartial history, that we read that portion of the Treasury Report with pleasure intermingled with surprise. We were well aware of the existence of the facts stated by the Secretary, but we had not expected that, at a period so soon succeeding that when it was considered praiseworthy to to heap upon the head of that administration a most unmitigated abuse, it would have been the pleasure of a Whig Secretary of the Treasury to have lauded it for its economy, accompanied by an array of facts to justify the laudation. We have it now in black and white, under the sign-manual of Mr. Corwin, that, by reason of the efficient management of public affairs from 1841 to 1845, an annual reduction of the expenses of the government, amounting yearly to the sum of \$3,481,158.95, or within a fraction of \$14,000,000 for the four years of Mr. Tyler's administration, took place. The Hon. Secretary might have gone farther still. He might have stated that whereas Mr. Tyler, upon entering office, had found the government deficient in its annual income by some \$12,000,000, he left the Treasury, on the 4th of March, 1845, in the most flourishing condition; the receipts being not only equal to the expenditures, including a redemption of no inconsiderable portion of the public debt, but an actual surplus existing of about \$8,000,000,—thus, in fact, not only having saved \$14,000,000 in the abatement of expenditures, but having added \$8,000,000 to the available means of the Treasury, making the grand total of \$22,000,000 saved and provided. It may, therefore, justly be said that, under that admirable system of management which from 1841

to 1845 pervaded all the departments, there was an actual saving of the expenses of the government of *one* year's expenditure in *four*.

In the accomplishment of this great result,—one which forms an exception to the maxim that the expenses of a government are always increasing and never diminishing,—no great public interest was neglected. Efficiency was maintained and imparted to the army and navy, while the military defenses were promptly attended to. We remember the naked condition of the fortification at Old Point,—the fortification nearest to us,—in the early part of 1841, and quite as well remember how formidable its defenses appeared before the close of the year. We recollect, also, to have heard that the fortifications in the vicinity of New York bristled with 400 guns, which were mounted in an incredibly short space of time, in view of the serious differences then existing between the United States and Great Britain. Nor have we forgotten that the navy was called upon to patrol the seas, in single ships or in squadrons, for the protection of our commerce; and that the “home squadron” was then originated and established; and that the African squadron soon became a “fixed fact.” Thus it is seen that this immense addition to the resources of the country of \$22,000,000 was made while large expenditures had to be made in order to place the country in a state of defense, and to sustain its interests and honor at home and abroad. We opine that this great saving in the expenditures and resources of the government was the offspring, not only of the vigilant supervision over the disbursing agents,—a vigilance manifested by nothing more strongly than by the fact that, in a disbursement of \$100,000,000, not a dollar was lost to the country,—but also by the exercise of the veto power over appropriations made by Congress not falling within the legitimate and constitutional objects of expenditure.

We thank Mr. Corwin for the occasion he has afforded us of saying thus much. But Mr. Corwin deals only with the finances. Will not the other secretaries follow his example, and exhibit the administration of their several departments under the reviled and abused administration of Mr. Tyler? Will they not also raise the curtain high enough to enable the country to see Mr. Tyler and his able secretaries at work, or more properly to see the result of their labors? Of the army and navy we have already incidentally spoken; but will not the Postmaster-General run a similar comparison with that instituted by the Secretary of the Treasury? Will he not speak of a debt of \$500,000 due from the department in 1841, and of a surplus of some \$250,000 in favor of the department on the 4th of March, 1845? But above and beyond all, cannot the Secretary of State (Mr. Webster), or if his modesty forbids because of the part which he had in some of these transactions, cannot the President himself adventure to speak of the foreign policy of that administration, whose negotiations resulted in securing peace by the settlement of questions of fifty years standing, and the ratification of treaties almost numberless, which opened to enterprise new markets, and gave to commerce new wings? A boundless field of past diplomacy invites him to enter and survey it, and to announce the success with which it was cultivated. We could scarcely expect that either the President or the Secretary would say much in praise of the annexation of Texas; but might not the Secretary of

the Interior give us a dissertation on the cotton plant, and the importance to the country of its virtual monopoly?

There is one thing, however, against which we must protest, and that is, that the acts of Mr. Tyler's administration shall not be claimed as the result of Whig policy, or of the *impulse*, as a late correspondent of the *National Intelligencer* would very foolishly have it, of Whig principles. Oh! no, gentlemen, it is too late in the day to do this after all that has passed. Mr. Tyler had but a "corporal's guard" to sustain his administration, while the Whig party held possession of Congress, and we are sorry to say, met with but little personal support by our Democratic friends when they succeeded to the seats which the Whigs had been forced by the people to vacate.

Under such circumstances he won his way to the great haven of his desires, the good of the country, and its exaltation among the nations. That administration properly belongs to no party, but to the country and the world. It subserved the purposes of no party leader, and was, therefore, by no party sustained. Beset on one side by the partisans of Mr. Clay, and on the other by those of Mr. Van Buren, it constrained both parties at times by the wisdom and patriotism of its measures; and while each party disavowed its name and faith,—a name ever associated with the Republicanism of Jefferson, and a faith untarnished by a single departure from the principles of that illustrious statesman,—it accomplished nearly all its policy, and by so doing achieved the greatest good to the country. We gave it our full support then, and while we live we shall lose no proper occasion to do justice to John Tyler and his administration. We repeat our thanks to Mr. Corwin for the occasion he has afforded us of briefly saying thus much. The day is not distant when all men may speak out without fear or hazard. We shall hail its advent with pleasure.

Mr. Tyler's course on the third great economic question, internal improvement, was as true to principle as was his course on the Bank and tariff. The system had been permitted to sleep until Mr. Tyler's last year. Then two bills passed Congress, one making appropriations for the improvement of certain harbors and rivers on the Eastern coast, and the other for the improvement of the Mississippi and its chief tributaries and certain harbors on the great lakes. Mr. Tyler vetoed the first bill, and approved the second. In his opinion the Mississippi occupied a different footing from the river and water courses of the different States. No one State, or any number of States, can exercise any other jurisdiction over it than the punishment of crime and the service of civil process. It is reserved as a great common highway for the commerce of the whole country.¹ The following are the figures for appropriations for internal improvements under various

¹ See Mr. Tyler's Veto Message, *Statesman's Manual*, p. 1366.

administrations, beginning with Monroe, in whose time the system was started by Adams and Clay: Monroe, \$707,621; Adams, \$2,310,475; Jackson, \$10,582,882; Van Buren, \$2,222,544; Tyler, \$1,076,500, the whole for admitted constitutional objects.

The veto inflicted by Mr. Tyler on the River and Harbor bill was followed up by the vetoes of Polk, in 1846, and Pierce, in 1854; and Mr. Tyler's administration holds the same place as to these bills as Jackson's does to the appropriations for roads and canals. After the veto by President Pierce of the River and Harbor bill, which was passed in 1854, this species of appropriation lapsed until 1870. Improvements which were imperatively needed were classed under fortifications and similar heads. The cessation of expenditure under this head, however, was far more than balanced by the appropriations for post-offices, custom-houses and other public buildings in various parts of the country. These increased until 1873-'4, when the appropriation rose to \$12,341,944. In 1870, the River and Harbor bill took again a distinct rank for itself. The sum appropriated rose rapidly from \$2,000,000 in 1870, to \$18,743,875 in 1882. The last bill encountered President Arthur's veto, but was approved by the Virginia people, to whom it contributed \$300,000—a small return, it is true, for the millions that had been taken from them. But the people of New England, frightened at the child of their own policy, vigorously denounced the "steal." The South, however, accepts the policy of the conqueror, and will try to get what she can. It is estimated that, in the twelve years which have elapsed since 1870, money enough has been squandered by Congress to have built a railroad from the Mississippi to the Atlantic, whose running expenses could be paid by the similar appropriations for the future. "In fact," says Johnston, "most of those appropriations are not for the public benefit at all, but for the personal interest of the legislators; for the re-election of a congressman often depends upon his success in bringing money into the district through the River and Harbor bill, or the erection of public buildings."¹

Many other important events signalize the administration of Mr. Tyler. It was during this administration that the electro-telegraph system was established by Morse. He made an application to Congress for an appropriation to defray the expenses of

¹ Lalor's Encyclopædia of Political Science, etc.

subjecting the telegraph to actual experiment over a length sufficient to establish its feasibility. Congress, however, delayed the appropriation; and when Mr. Tyler became president the whole influence of his office was thrown in favor of the enterprise. At length, on the 3rd of March, 1843, Congress passed the long-delayed appropriation. Steps were at once taken to construct a telegraph from Baltimore to Washington, and on the 24th of May, 1844, it was used for the first time. Among the first messages that passed over the line were salutations between the President in Washington and the Chief-Justice in Baltimore, published in the *Madisonian* of that day. A few days after, the wires brought the news of Van Buren's overthrow in the Democratic convention. Fourteen years later, the first cable across the ocean was laid, in the preparation of which Morse took an active part. Mr. Tyler was invited by the Common Council of the city of New York to be present at the ceremonies in honor of the completion of the work. His letter of reply was as follows:

[INVITATION OF THE COMMON COUNCIL.]

NEW YORK, *August 27, 1858.*

SIR: The Joint Committee of the Common Council, on celebrating the successful laying of the "Atlantic Cable," respectfully invite you to be present at the ceremonies at the Crystal Palace, on the 1st September *proximo*, at four o'clock, P. M.

Respectfully, THOMAS MCSPEDEN, *Chairman.*

C. T. McCLENAHAN, *Secretary.*

SHERWOOD FOREST, *September 1, 1858.*

To his Honor the Mayor, and to the Honorable the Common Council of the City of New York:

GENTLEMEN: In consequence of my absence from this place, I did not receive until to-day your polite invitation to be present at the festivities of to-day, and the municipal dinner to be given to Cyrus W. Field, Esq., and others at the Metropolitan Hotel to-morrow, in commemoration of the laying of the "Atlantic Cable." To be present, therefore, at the time appointed is a thing impossible. All that I can do is to express my cordial concurrence with you in according all praise to those through whose indomitable energy this great work has been accomplished.

When, in 1843, a modest and retired gentleman, the favored child of science, called upon me at the executive mansion, to obtain from me some assurance of my co-operation with him in procuring from Congress a small appropriation to enable him to test his great invention; and when at an after-day I had the satisfaction of placing my signature in approval of the act making an appropriation of \$30,000 to enable him to connect Washington with Baltimore

by his telegraph wire; and when at a still later day I had the pleasure, from the basement of the Capitol, to exchange greetings with the Chief-Justice of the United States, who was at the Baltimore end of the line, I confess that it had not entered my mind that not only was lightning to become the messenger of thought over continents of dry lands, but that the same all pervading agent was to descend into the depths of ocean, far below the habitations of living things, and over those fathomless depths to convey, almost in the twinkling of an eye, tidings from nation to nation, and continent to continent. To the great inventor of this, the greatest invention, is due the laurel wreath that can never wither, and to those who have given it a habitation and a home in the waters of the great deep all praise is due.

With sentiments of high consideration, I have the honor to be,

Most respectfully and truly yours, etc.,

JOHN TYLER.

Two years later Mr. Tyler wrote to Rev. Dr. Sprague, of New York, as follows:

[TO REV. DR. SPRAGUE.]

SHERWOOD FOREST, *October 22, 1860.*

REV. AND DEAR SIR: I reserved the reading of your admirable discourse, addressed to the alumni of Yale College on the 25th of July last, for yesterday, the Sabbath day, knowing full well that I should derive much instruction from wandering with you among the tombs of departed sages and patriots, who have left their impress on the history of our race. My expectations of profit and pleasure were in no degree disappointed, and I finished its perusal both refreshed and improved. In the sisterhood of our colleges Yale has doubtless contributed her full share of high intellectual culture to the general stock. Even if she could not boast, as she proudly may do, of a long line of illustrious statesmen and divines, the contribution of two such men as Whitney and Morse to the common stock of human benefit would be enough to eternize her name. With the last it was my good fortune to become acquainted during my four years' residence in Washington. He called upon me with a view to interest me in his first effort to introduce the telegraph. He sought an appropriation from Congress of \$30,000 to enable him to carry out the experiment, and it afforded me sincere pleasure to give my approval to the act which ultimately passed, and at a still later day, when the wires had been strung from Washington to Baltimore, to be among the earliest to transmit friendly messages over them to Chief-Justice Taney, who chanced to be, at the time that I witnessed the manipulations in the basement of the Capitol, at the Baltimore end of the line.

I could not forego the pride and pleasure of mentioning the above circumstance to you, which connects my name with the first experiment out of the closet of the greatest invention of the age.

I am happy to say to you, that William and Mary is again in successful operation, under full promise of usefulness in the future; and shall I not be pardoned for an act of egotism in making known to you that at the last meeting of the Board of Visitors and Governors the high honor of her Chancellorship, last filled by General Washington, was conferred on myself—an honor

of which I am quite as proud as of any other ever conferred upon me by my fellow-men.

With constant good wishes, and the highest respect and esteem, I am, dear Doctor, truly and sincerely yours,

JOHN TYLER.

If my work permitted it, I might tell of the encouragement afforded by Mr. Tyler to letters and to science; of the investigations of Lt. Maury in the currents of the sea; of the expeditions of Frémont to California and Oregon; of the Indian treaties, by which the Indian title was extinguished to millions of acres of public land; of the improvements made in gunnery and the application of steam; of the extraordinary casualties that marked his four years; of the young men that he aided in life, like the celebrated Captain Fry, of the ill-fated *Virginus*, who came to him from his "pots and kettles," bare-footed, but courageous and manly, seeking a commission as midshipman, and suddenly finding himself the centre of a brilliant company who had heard his story and admired him for his heroism.¹ I might tell, too, of the President personally; of his smile, in which the sunlight of a happy conscience played, and of his silvery voice, the charm of every company, and which sounded all the sweeter in contrast with the bellowing of the vulgar and malignant creatures that assaulted him in his absence. But my work has already been drawn out too long.

I close the chapter with Mr. Tyler's eloquent address "*The Dead of the Cabinet.*" Mr. Tyler had few equals in this species of composition. *The Dead of the Cabinet* has a peculiar value because of its connection with his administration. The pen pictures of Upshur, Calhoun, etc., are exquisitely drawn, and the true greatness of Mr. Tyler stands out in the modest manner in which he withdraws himself, the prime actor, from the scene. The country, indeed, had much to be grateful for to a President who, without regard to their politics, kept an Everett at London, a Cass and King at Paris, a Wheaton at Berlin, a Washington Irving at Madrid, a Jenifer at Vienna, a Todd at St. Petersburg, a John Howard Payne in Algiers, a Wise in Brazil, a Cushing in China, a Thompson in Mexico; nearly all of whom, to say nothing of their historical importance, have illustrated the literature of the country by works of a high order.

¹ Life of Captain Fry, pages 40-43.

“THE DEAD OF THE CABINET.”

AN ADDRESS DELIVERED AT PETERSBURG ON THE 24TH OF APRIL, 1856,

BY JOHN TYLER.

Mr. President and Gentlemen of the Petersburg Library Association :

I am here to-night in pursuance of your kind invitation, and propose to perform a melancholy, but at the same time an agreeable task. It is to wander among the tombs, and to remove the moss, if any, which thirteen years have thrown over inscriptions which should be continued legible for all coming time. My task will be brief. Eulogies have already been spoken. My offering will be one, however humble, of high admiration and undying friendship. Standing beside their graves, I recall them such as they were in life. I see them, as formerly, at the Cabinet board, undisturbed by the ravings of faction or the roar of the political tempest, intent only on the public good, and earnest to record their names on the pages of history as public benefactors. *Spargere flores, spargere breves rosas*,—and to whom can this office be more appropriately assigned than to myself? We were comrades,—sat at the same table,—broke bread and ate salt together,—bared our bosoms to the same storms, and when the angry clouds so far parted as to admit a ray of sunshine, we basked in it together. I confided in them while living, I revere their memories now they are dead. Let no man fear that I shall so illy acquit myself of my task as to introduce into my address anything that can excite party feeling. I shall do no such injustice to the memory of those of whom I design to speak,—what they were politically is for others to mention. I design no more than to draw their daguerreotypes,—upon the historian will devolve the duty of drawing their full-length portraits. I shall speak of them in the order in which they bade adieu to the world and closed their career of usefulness; and the name of Hugh Swinton Legaré is the first on the catalogue of the dead.

I remember the first time I ever saw him. It was in the infancy of steam-power, and a slight frost sufficed to prevent the running of the steamer that plied between Washington and Potomac Creek. The stage-coach was at the time the only means of conveyance over the almost impassable roads between Washington and Fredericksburg. I was returning to my home in Virginia, in the winter of 1819-'20, during a brief respite from service as a member of the House of Representatives. Chance seated me by the side of a young man who, I soon learned, had but a few days before returned to the United States from his European travels. We were strangers to each other,—but who waits for an introduction in a stage-coach? Its chief recommendation consists in the absence of all form and ceremony. Each passenger feels himself bound, in some sort, to contribute to relieve the fatigue of the journey. The conversation thus becomes general, and before the journey is ended, good-fellowship is established among the passengers. So it was upon the occasion I have mentioned. The slow progress of the coach gave full leisure for conversation, and the passengers were indebted to the youthful stranger for

much to interest them. He was full of his travels. France, Italy, England and Scotland were spoken of with graphic power. The sun of the great Napoleon had set, and the glory which had flashed from minaret and tower had sunk into the twilight of the ancient régime. The enthusiasm of the young traveller found its only excitement in the marvels of the times of the consulate and the empire. We visited, with him as our cicerone, those battle-fields where crowns were the stakes, and whereon kingdoms were lost and won; luxuriated in the beauty and fragrance of the Imperial gardens; visited the great works which, if all else was wanting, would serve as enduring monuments to the memory of the Emperor; conversed with the great marshals, and shed tears at the bloody death of "the bravest of the brave,"—a death which has left upon the garments of those who ordered it a stain so deep that all the waters in the world cannot wash it out; but the blood then shed shall, in the language of Lady Macbeth, "rather the multitudinous seas incarnadine, making the green, one red." We crossed the Simplon and descended into Italy. Rome, as in the time of Augustus, rose up before us in all its majestic proportions, its seven hills clothed with the glories of the old republic; and then, stumbling over the ruins of the mighty past, we entered with profound awe and reverence the holy edifice of St. Peter, the creation of the genius of Michael Angelo. Thus was represented the imperial city, at one time glorying in her conquests and almost universal power, and holding in her lap the dowry of nations; at another, weeping, like Niobe, over the children of her earthly glory, the offspring of her feverish ambition, begotten of policy and won by the sword; and then, again, rising from her ruins with the mitre on her brow and the crozier in her hand, exercising a power far greater than that ever exercised by her consuls and emperors in the olden time. They passed before us Venice, rising from the ocean "a sea Cybele,"—the gems which glistened on her brow and the silks which adorned her person brought from the far distant lands of the orient,—her annual espousal of the Adriatic,—the magnificence of her Doges,—her gondoliers, and the songs of Tasso,—the Rialto, with its "prison and its palace on each hand,"—all rose up before us at the plastic touch of the young Legaré. We fought the battle of Hastings over again,—saw the Saxon banner go down before the Norman,—witnessed the signing of the great charter at Runnymede, rejoiced in the accession of William of Orange to the throne, and in the steady advances of public freedom over privilege and arbitrary power,—and, crossing the channel, wandered over England's classic grounds. We then entered Scotland, the home of his maternal ancestors. A new enthusiasm was awakened. Sir Walter Scott had peopled every hill and glen with the old memories. The stout Sir Allan Swinton had played his part in the battle of Hallidon hill.

"There needed not to blazon forth the Swinton,
His ancient burget, the sable boar
Chained to the gnarled oak, nor his proud step,
Nor giant stature, nor ponderous mace,
Which only he in Scotland's realm could wield;
His discipline and wisdom mark the leader,
As doth his name the champion."

No wonder that, in touching the old soil which had been so proudly trodden

by his stalwart race, the young traveller should have been awakened to a new enthusiasm. The mighty men of the claymore and the spear, armed as they were in life, reappeared from the spirit land. The Wallace and the Bruce, and the Campbell and the Douglas, re-enacted their parts, and "James Fitz-James, the Commons' King," held royal court at Stirling; and there, too, was Ellen Douglas and the devoted Græme. The unfortunate Mary, and the last of her race who aspired to the throne, figured on the canvas, until hill-top responded to hill-top in the national air of the day,—

"Wha'll be king but Charlie?"

which continued to awaken the slumbering echoes long after the fatal and bloody day of Culloden.

We parted at Richmond, and I saw no more of him for years. In the meantime he had risen to eminence, and his native State of South Carolina had bestowed upon him distinguished marks of her esteem and confidence. He had embellished the pages of the public reviews by contributions from his pen, which the whole country had read with admiration and delight, and which gave him rank among the best writers of the age. He had attained celebrity at the bar, and had won laurels as a debater in the House of Representatives. Upon a vacancy occurring, I invited him to a seat in the Cabinet as Attorney-General. I had reason to rejoice in the selection. Familiar with all questions of constitutional and municipal law, he had also a large knowledge of international law, which found in him at the Cabinet board, on many interesting occasions, an able expounder. His mind was a deep well, which was in no danger of being exhausted by the copious drafts made upon it. There never was counsellor more faithful, patriot more sincere, statesman with broader or more liberal views, or a man more unassuming yet of firmer or more decided character. Truth was the great magnet whose influence he obeyed, and whithersoever that guided he followed.

If Congress placed a mistaken interpretation on the force and effect of a statute, as it did in a notable instance, Legaré, on being called upon for his opinion, had no hesitation in pronouncing Congress in error, and so, accordingly, at an after day, it was decided to be by the unanimous opinion of the Supreme Court.

It is not believed that a single instance has occurred wherein his *seriatim* opinion has been overruled by that high tribunal. It may be said without fear of mistake, that he was more deeply read in the civil law than any other man in the Union. On all questions involving its principles he was the *Magnus Apollo* of the court. With all his reverence for the common law, he had a still greater for the civil, as a more perfect system of justice. He sought on all occasions to soften down the seeming asperities of the first, by an infusion into it of the principles of the last, and in this respect followed the example of Lord Mansfield on the bench of England. Several of the States of the Union have of late incorporated into their statutes the principles of the civil law, but whether experience will approve the innovation remains to be seen. For myself I frankly confess my attachment to the system of the common law, which has come down to us from so remote an antiquity,

gushing forth in its origin from the hearts of the brave and untamed, and bearing along with it the principles of human right, to sustain and adorn the great structure of public liberty,—a system so perfect, that to remove any single column is to endanger the entire fabric. Mr. Legaré thought differently, and I remember with what exultation he called upon me one morning, not long before his death, to inform me of his having received the evening before from Europe an ancient work on the civil law, which he had been long anxious to obtain. He was at the time the Secretary of State *ad interim*, having been appointed to the place on the retirement of Mr. Webster, in May, 1843. Qualified as he was to be the exponent of the law and the Constitution in his office of Attorney-General, he was no less so to conduct the affairs of the State department; but alas! how weak is the staff of life on which we lean our hopes, how delusory; the early promise of morning, how fleeting and transient! I was invited to Boston, to be present at the delivery of the speech of Mr. Webster on the completion of the Bunker Hill monument. The journey was commenced some days in advance of that appointed for the delivery of the oration, and Mr. Legaré was prevented from accompanying me by some pressing business in the State department, and only reached Boston on the day set apart for the oration. He complained of being too unwell to attend. An eminent physician was called in, who at first did not regard the attack as of any serious moment. Fatal error, which a brief day served to dissipate. Death had seized upon its victim, and the Commonwealth was called upon to mourn the loss of one of its purest and noblest sons. That well-stored mind, which had shed broad light over the country upon so many occasions, was now extinguished; that calm and unimpassioned friend, on whose counsel I had leaned in so much confidence, and by whom I was never deceived, was stricken from my side, and an excursion commenced in buoyancy and gladness, which had been accompanied on its whole line by the greetings and huzzas of unnumbered thousands, was terminated in sorrow and mourning; that generous heart, whose every pulsation was chaste and holy, had ceased to beat. I saw him borne to his last resting place, where he sleeps until the morning of the resurrection. So passed away Hugh Swinton Legaré, in the morning of his prime and broad daylight of his usefulness.

At the time of Mr. Legaré's death there presided over the Navy Department one who was competent to fill any office under the government. He had illustrated that department by judicious reforms, which are destined long to be felt and acknowledged. A system of rigid economy was practised; but while he limited the expenditures to the actual necessities of the service, a new efficiency was imparted to the Navy. To him that department is greatly indebted for its present organization, which places at the head of bureaus veteran commanders, who, from their intimate acquaintance with the wants of the service, are best qualified to provide for them.

Under him also arose that structure over which was placed Lieutenant Maury, whose name has already filled the scientific world, and who is destined, I do not doubt, to win other and still more important triumphs by future contributions to the cause of science; and to him is also due the or-

ganization of the home squadron, which, while serving as a *costa guarda*, watches over and protects the commerce of the country in neighboring waters. There was no hesitation in entrusting to such a man the premiership, and Abel P. Upshur was accordingly placed at the head of the State Department. Our acquaintance had commenced in early life, while he was a law student in the office of William Wirt, and I in that of Edmund Randolph. We became members of a debating society in Richmond, with others of our own age, and there young Upshur took his early lessons at public speaking. It required but a small share of the spirit of prophecy to foretell the future that awaited him. He had brought to the study of the law a mind richly stored with all the learning of the academies, and his information was so arranged that, like a well-ordered arsenal, the various weapons of attack and defense were readily seized upon as the occasion required. He used with force and power the broadsword of Richard, or the keen scimitar of Saladin. He had but to appear at the bar, and his success was accomplished. The army of obstacles which so often impede the way of the young advocate vanished before him, and he might well have exclaimed *Veni, vidi, vici!* It is to be regretted that no lasting memorial of any of his brilliant efforts at the bar is preserved. In this he has shared the fate of many others whose field of forensic labors has been the country. They whose eloquence sufficed to stir up or allay the passions at will, to rouse to indignation or melt into tears courts and juries, to rescue right and innocence from the hands of wrong and fraud, to cause the earth to tremble at every step they made in their terrible denunciations of fraud and crime, or, soaring on the wings of truth, have, like the eagle, approached the heavens in their flight, have had no stenographers in attendance to record their efforts, which live only in the tradition of their immediate neighborhood. Such has been the fate of the many eloquent speeches of Mr. Upshur while at the bar. He was soon elected by his native county to the House of Delegates, where he played a prominent and leading part, and his eminent abilities caused him to be re-elected by the district in which he resided as a member to the first convention which met in Richmond to reform the State Constitution. In that convention, composed, as it was, of the first men in the State, if not in the Union, Judge Upshur occupied a conspicuous position. It may be claimed for him, without disparagement to others, that his great speech which opened fully the debates, stands almost, if not quite, unrivalled by any other delivered in the convention. For a thorough development of the conservative principles on which the foundation of government should rest, and in which it may be said to have its origin, or for power of illustration and for logical acumen, that speech may be regarded as constituting a monument to the memory of Abel P. Upshur which will last as long as the language in which it was uttered is spoken. No man, however extensive his reading on the science of government, can rise from its perusal without decided benefit and improvement. He had previously been elected to a seat on the bench of the General Court, and was in discharge of the functions of judge of that high tribunal when he was called to the head of the Navy Department, and was, as I have stated, from thence transferred to the premiership of the cabinet.

Judge Upshur was succeeded in the Navy Department by David Henshaw, of Massachusetts, a gentleman who had won a broad reputation in his native State, and who, for the brief space during which he continued at the head of the department, acquitted himself of his duties with great ability, and to the entire satisfaction of the government. For causes growing out of the state of the times, and not his own demerits, he was rejected by the Senate, and Thomas W. Gilmer was soon after installed in the vacant secretaryship. I had known him as a leading member of the Legislature of Virginia, in which body we had served together, and our acquaintance soon ripened into close intimacy. Stern and inflexible in his resolves, no combination of circumstances could drive him from his purpose when once it became fixed. Whether the maintenance of his convictions placed him on the crest of the popular wave, or consigned him to a small minority, seemed in no degree to affect him. He esteemed truth the spring of heroic virtue, and he followed it wherever it beckoned, and error "paled its ineffectual fires" in order to mislead him. He was one who, had occasion offered, would readily have acted out the saying of Metellus: "To do an ill action is base; to do a good one, which involved you in no danger, is nothing more than common; but it is the property of a good man to do great and good things, though he risks everything by it."

From the floor of the House he had risen to the speakership, and was soon after elected to the governorship of the State of Virginia. On a subject which has since, under other phases, assumed a formidable and threatening aspect to the peace and harmony of the Union, it was his misfortune to differ from the Legislature, and he, considering it the path of honor, voluntarily retired from the chair of State, and threw himself once more, with increased zeal and industry, upon his profession. Such a man was not suffered long to remain in private life, and the people of his district soon after elected him to Congress, and he had already won a high reputation in that body when he was called to the head of the Navy Department.

Thus were these two noble sons of their blessed Commonwealth placed side by side to perform important parts on the great theatre of the world, to win its admiration and receive its applause. Endowed with the gift of high intellect, governed in their political action by the same principles, controlled by the lofty ambition of recording their names on a fair page of history, and, therefore, above all things, intent upon acquitting themselves faithfully of their high duties, the two might have been regarded, almost without a metaphor, as twin stars in the firmament, borrowing and giving light from and to each other. Judge Upshur had entered upon the duties of his office several months in advance of his colleague, and was entrusted with the task of conducting an important negotiation with a then foreign government, which nothing but defective powers on the part of the resident minister prevented him from instantly completing. I remember how highly gratified he was when, after receiving voluminous dispatches from abroad, mostly bearing on the matter, I announced to him my purpose to offer annexation to Texas in the form of a treaty, and authorized him at once, and without delay, to communicate the fact to Mr. Van Zandt, the accomplished minister from that republic.

He failed not to see in the virtual monopoly of the cotton plant, which the annexation would accomplish, an addition to the wealth and power of the United States of incalculable magnitude, and lost not a moment in entering upon the subject. He stood also at the portals of another negotiation, all the information for a successful conclusion of which, had already been furnished to the State department by Mr Everett, then our able minister at the Court of London, and which was finally made the basis of settlement by a subsequent administration. Governor Gilmer had begun only to adjust himself in his chair and to prepare himself for his labors, from which so much good was anticipated, when both he and Judge Upshur became victims to a terrible catastrophe. At this distant day I cannot revert to that awful incident without pain almost amounting to agony. When the morning of the ill-fated 28th of February dawned upon the world, the theretofore tempest-tossed administration found itself comparatively tranquil and at ease, reposing on the honor, the wisdom, personal friendship, and patriotism of its counsellors and advisers. That morning was also full of promise of a day of gladness and triumph—gladness and triumph at the successful accomplishment of an experiment which had been conducted under the superintendence and direction of one of the most gallant and talented officers of the navy. The experimental ship, the *Princeton*, floated majestically on the bosom of the Potomac, and her projector and commander, distinguished not more for his valor than for his unbounded hospitality, had sent out cards of invitation for a fête on board, comprising a multitude. Never did the eye gaze on a brighter or more animated scene than that which the beautiful river exhibited during the forenoon of that fatal day. There floated the ship whereon had been concentrated so many hopes and anticipated joys. Decked out in trim array, there waved from every rope and yard some emblematic flag in token of our amity with the whole world, while proudly above them all floated at the mast-head our own beautiful banner. Numberless barges shot out from every cove and point, loaded with their living freight, and flew on the wings of hope and joy towards the gallant ship. The decks were soon crowded with a host of happy visitors. There was but one person in that crowd who did not partake of the hilarity which so universally prevailed, and that exception was found in the person of the interesting and admired lady of the Secretary of the Navy. From the moment that her foot touched the deck of the ship a foreboding of evil took possession of her mind. The slightest separation from her husband caused her inexpressible agony. Vain were the efforts which were made to expel from her mind the horrid spectre of the future of that woeful day. The pall and the shroud floated before her vision, and she was miserable. Like Cassandra, she prophesied of evil, and her prophecies were treated as the effects of womanly timidity and nervous excitement. Tell us, you who profess to look into the future, you who claim to have the power to read the mysteries which envelop cause and effect before they give sign of birth, what connexion exists between the troubled mind thus filled with feverish apprehension, and the dread reality which afterwards occurs? With this exception, never was there assembled a more joyous crowd. A cloudless sky added to the brilliancy of the scene. The

anchor is weighed, and the ship moves with majestic grace over the dimpled waters. At length her large experimental guns are fired, and the immense range of the ponderous balls seem to realize all that the valorous Stockton had foretold of their power. The ship is returning to her anchorage, and the feast is nearly ended. Abel P. Upshur has added to its zest by the charms of his conversation and the brilliant flashes of his wit. Thomas W. Gilmer, intent on the intimate knowledge of her material and structure, has visited every part of the ship, and mastered the entire fabric. The song still prevails and patriotic sentiments abound.

The gallant commander and Upshur and Gilmer are no longer at the table or in the cabin. They have ascended to the deck, accompanied by a few friends. The Secretary of the Navy desires once more to witness the effect of a discharge from one of the guns, and the captain proceeds to comply with his wishes. The crowd below is in utter ignorance of what is passing above. A loud report is at length heard, and does not, at the moment, arrest the song and merry jest. A mysterious whisper at last reaches the crowd; anxiety, to be soon succeeded by dismay, prevails. The upper deck is reached, and there lies, sealed in death and already wrapped in the folds of that flag which was never looked upon by them while in life without imparting to their patriotic hearts a quickened pulsation, the two eminent Secretaries and three other distinguished citizens, one of whom, also a son of this Commonwealth, Commodore Kennon, had so often courted danger on the ocean, and had won the commodore's flag by gallant service, and at the time presided over an important bureau. While Virginia mourns over the remains of her noble sons, Maryland bends in solemn woe over her gifted Maxey, and New York laments the death of her talented and accomplished Gardiner.

Joy is turned into mourning. The morning, so bright and cloudless, is succeeded by an evening of deep gloom and sorrow. The muffled drum, the solemn toll of the bell, the loud and dismal peal of the minute gun announce to the country the sad tidings of death and woe. There are two vacant seats at the Cabinet board the following morning,—Upshur and Gilmer have fallen, "like two stars struck from their spheres."

I will not dwell on the funereal gloom which fell upon all things. I hasten to get beyond its influence, so far as memory will let me.

Thus, in the course of eight months, three members of the executive branch of the government had passed away, each a shining light, and at moments full of promise to themselves and the world. In the field of battle there is but little time left to weep over the loss of friends who have fallen gallantly leading on the charge. The passionate exclamation at the battle of Marengo, which broke from his lips when Napoleon came to be informed of the death of Dessaix, who, by a seasonable and gallant charge, changed the fortune of the day, of "Oh! why have I not time to weep!" is, to some extent, applicable to the war of factions. Action, constant action, is often urgently necessary; but when the war is over, the memory dwells upon the virtues of those who have fallen, and opens up all the sources of grief. And who now can visit the graves of Legaré and Upshur and Gilmer without emotion and deep sorrow?

The place of Judge Upshur was filled *aa interim* by Mr. Nelson, a distinguished son of Maryland, who still lives, the charm of the social circle and a bright ornament of the bar, and who, upon the death of Mr. Legaré, had been appointed Attorney-General.

To fill the station permanently, attention was immediately directed to that distinguished Southern statesman, who had for so long a time performed a conspicuous part in the great drama of politics, and whose claim for intellectual superiority over all rivals is by many openly maintained. He had some time before withdrawn from public life, and reposed upon the laurels already won, at his quiet retreat in the State of his nativity. He was nominated without previous consultation with him, and the day of his nomination witnessed his confirmation by the unanimous vote of the Senate. No whisper of discontent was heard in the Senate chamber at the appointment, but his accession was seemingly hailed with joyful acclaim by all men. When I entered the House of Representatives in 1816-'17, Mr. Calhoun had acquired a high reputation by his brilliant displays on the floor of the House, of which he was still a member, and competed with Mr. Clay, who was then Speaker, for the leadership of the commons. Before the close of Congress he was called by Mr. Monroe to the head of the War Department, in which station he exhibited an administrative talent of the highest order. We had become partially estranged from each other by reason of the differences of view in regard to the election of 1840, and before his retirement from the Senate, our intercourse consisted merely in the interchange of ordinary civilities. My letter, inviting him to a seat in the cabinet, for the first time informed him of the pending negotiation for the annexation of Texas, the knowledge of which had been confined to Mr. Upshur, Mr. Nelson and Mr. Van Zandt, under injunctions of profound secrecy, arising from the apprehensions of a formal protest from Great Britain and France, which might have involved consequences of a serious import. He was particularly urged to come to the aid of the administration for the adjustment of the Oregon boundary, then an open question, and he doubtless saw in the adjustment of that question a wreath of fame as bright as that with which Mr. Webster had encircled his brow in the adjustment of that of the northeast.

The same patriotic envoy who was the representative of this country for the time of the earlier negotiation was still at London, and had placed the government, as I have before said, in possession of the terms on which Great Britain would probably be inclined to settle the Oregon boundary. I confess to an anxious desire at the time to close my residence in Washington by the consolidation of the peace of the two countries, through the adjustment of the only open question of moment existing at that day between them. The important treaty with Texas presented no real impediment in the way of its negotiation. The subject was soon disposed of, and the treaty communicated to the Senate. About the same time a treaty had been negotiated by our envoy at Berlin. Mr. Wheaton, with the *Zollverein*, of great importance to the tobacco growing interests, by which the duty on tobacco, from being almost prohibitory, was reduced to an exaction, compared with what it had been and still is, merely of a nominal character, thereby opening the centre states

of Europe to the introduction of the article, and furnishing almost a certainty that the enormous imposts levied on it by adjacent countries would be necessarily relaxed. In exchange for this liberal policy on the part of the states composing the Zollverein, the treaty provided for moderate duties on enumerated articles exported from Germany into the United States, none of which were fabricated in this country, or, at the most, some two or three of very little consequence to the industry of the Union. That treaty had, with settled purpose, slumbered on the table of the Senate until the period fixed for its ratification had passed by, and thus the treaty itself had become a dead letter, never again to be revived.

When to this, and contrary to all previous assurances, the treaty with Texas came to be rejected, there was, in the Secretary's opinion, cause to pause in the further effort at negotiation on any other subject. It is true that a profoundly patriotic motive lay at the foundation of this suggestion, but he soon after was induced to rally back to the task, and probably opened the way to that sequel which developed itself under Mr. Polk's administration. Mr. Calhoun's dispatches justly entitle him to rank among the most eminent political writers of the age, as his speeches in the two Houses of Congress have long since classed him among the ablest of debaters. He lingered a few years longer in life, and died "with harness on," consecrating a long life of public service by his last great efforts on the floor of the Senate. Mr. Webster was also there, and, as they had so often been before, the two became antagonists in debate. Neither age nor infirmities had impaired the abilities of Mr. Calhoun, although it soon became obvious that his end was drawing nigh. His hair and cheeks were blanched, and his form attenuated and wasted; but that great mind still shone out with undiminished splendor, its corruscations illuminating the darkest and most perplexed problems. When languishing on the bed of sickness and of death, one of his last wishes was that he could once more address the Senate, and implore it to guard the country against those very evils which now have grown into such magnitude as to threaten the existence of its institutions. It may therefore be said that, like William Pitt, his last thought was for his country; and thus went John C. Calhoun on the road of dusty death in advance of his two great rivals—the three, while in life, constituting a triumvirate of talent rarely ever equalled by any trio of the same age and generation.

Of Daniel Webster I design but briefly to speak. You know that he survived Mr. Calhoun by some few years, and after filling the world with his fame, went down to his grave amid the regrets of the whole country. Of his association with me in the administration of the government, I take leave to speak as I truly feel. We had served in the Senate for many years together, and he was a member of the House of Representatives when I went into that body at an early period of life. I confess to the indulgence of prejudices against him, which were felt by myself in common with the whole South. Those prejudices had been engendered by reason of the course pursued by the party in the East in the second year of the war of 1812, with which he generally acted, rather than by any personal involvement in the obnoxious proceedings of the times. Our close association in the executive department

soon caused me to place a more just estimate upon him, and the man who had been so often reviled in the South as more English than American, grew with me into the sublime character of the patriotic statesman. Whether the South or the North, the East or the West, was particularly interested in the question on hand, and without the slightest reference to its type or character, he maintained with consummate ability the rights of the country. His mind was broad enough to take in the whole country and every part of it, and in the conduct of our foreign affairs, he looked only to the great principles of international law; and with the volume in which is written that law in his own hand, he looked foreign nations in the face with a firm and steady gaze and a cheek unblanched by fear.

Whether the question involved was one of the rights of hospitality due from one country to the ships and mariners of another driven by stress of weather, or carried by mutineers into its ports, as was the matter involved in the case of the *Creole*; or whether it was a claim of right to visit or search American ships on the high seas under the plea of suppressing the African slave trade (a practice entirely abandoned since the treaty of Washington); or whether he was called upon to express the indignation of the government at the inhuman treatment by a neighboring power of prisoners taken in war, as in the case of Texans taken captive by Mexico; or whether it became his duty to vindicate the inviolability of American soil, as in the case of the *Caroline*; no matter what the subject, still Daniel Webster stood firm and immovable, and with an ability rarely equalled, and never surpassed, maintained the doctrines and principles of that international code, the offspring of an increased civilization, which all the nations of the earth are bound to respect, and which it should be their greatest pleasure to obey. Such was Mr. Webster as Premier of an administration with which he was associated for more than half its term. The State Department is full of garlands which breathe freshly of his memory, and which time can neither blight nor wither.

I remember the first regular cabinet council which was held after I reached Washington. With a solemn and shaded brow he handed me a letter received some days before from Mr. Fox, the British minister, the paternity of which was obviously due to Lord Palmerston, demanding the immediate discharge of McLeod from imprisonment in New York, for a supposed agency in the attack upon the *Caroline* and murder of Duffree. We agreed in our views of the subject, and he prepared a dispatch accordingly, and when he handed it to me for perusal he said: "Lord Palmerston, sir, may put that into his pipe and smoke it." We heard no more of the imperative demand. There was one trait in his character which may be considered as the offspring of true greatness. He was ready at all times to receive, to consider, and, if proper, to adopt the suggestions of others. He went farther. He courted the severest criticisms of his writings or opinions. Thus it was that no dispatch of importance received the final stroke of his pen until it had been subjected to the severe crucible of the cabinet. Every suggestion of addition or alteration was weighed by him with the same impartiality as if he had been the critic, and the production criticised was the work of another. When these discus-

sions had ceased, then came forth from the State Department the combined wisdom of all, condensed in a dispatch, which challenged for the Secretary the admiration of the world. It was a great charm of life to be associated with one not only so richly endowed with the gifts of mind, but who was so tolerant in matters of opinion, and whose entire deportment was so deferential and respectful—a deference and respect which he never for a moment lost sight of. If he had defects—and who has not?—those defects were obscured by his many excellencies. He survived his two great rivals, and gathered after their decease fresh laurels, both in the Senate and in the cabinet. He foresaw the dark cloud then resting on the political horizon, which has since reached the meridian, and he used every effort to disperse it ere its lightnings should scathe the Union. He reasoned, he remonstrated, he expostulated, and finally bade adieu to life, with Union written in unmistakable characters on his heart. The outbreathings of his spirit but shortly before his death have probably endeared his memory to his countrymen, even more than the many brilliant passages of his earlier life. His letter to his farmer, John Taylor, on his old paternal acres, will be read by future generations, as it has been by the present, with the most profound conviction of his patriotic devotion to the Constitution and the Union. Its simplicity, and yet deep pathos, sink into the heart, and we finish its perusal with renewed hope for the country and its institutions.

Some future patriarch will perform the task of running a comparison between these two gifted statesmen. Their faults, if any, as well as their virtues, will be exhibited on the canvas. Such is no part of my purpose. I seek only to present a daguerreotype of the two, and that chiefly within the cabinet sphere—a sphere in which each was destined to shine with resplendent lustre. Notwithstanding their constant warfare on questions of domestic policy, yet it is not believed that, subsequent to the war with England, they differed materially on matters of foreign. Unswayed by personal jealousy, and listening only to the suggestions of a noble and exalted patriotism, Mr. Calhoun, being at the time in the Senate, gave his great talents to the ratification of the treaty of Washington, which, although carped at by some, was ratified by the Senate by a vote approaching unanimity. They were the advocates of peace on honorable terms with all the world, and they saw in the conquests to be made by commercial enterprise richer and nobler and more important triumphs, and a greater acquisition of power than provinces conquered by the sword could bring. That nation which contributes most to supply the wants of others, although the sword may not glitter in her hands, or the thunder of her cannon be heard in every breeze, constitutes the most powerful of States. Her dependencies are to be found in every part of the earth, and her dominion is limited only by uninhabitable deserts, or regions for ever bound in icy fetters. To extend the commerce of the country engaged the earnest attention of each during the period they respectively presided over the State Department. In this they were seconded by a diplomatic corps of eminent ability, the names of many of which fill conspicuous places in the literature and politics of the country.

There was no avenue of trade which could be opened to commercial enterprise which did not arrest attention. If more was accomplished during Mr. Webster's time, or if during his two years-and-a-half more treaties were negotiated through his instrumentality than fell to the lot of Mr. Calhoun in half that period, it may be well doubted whether the advantage to the country of finishing the negotiation begun by Mr. Upshur and completed by Mr. Calhoun, by which Texas, notwithstanding the rejection of the treaty, was ultimately secured to the United States, does not place him on a pedestal as proud, and so far as the material interests of the country are concerned, quite as lofty as that on which Mr. Webster stands by reason of his successful negotiation of the treaty of Washington. I speak not of the skill evinced by the American negotiator in the one or the other instance. In that respect there can be no comparison. In the negotiation of the treaty of Washington, Mr. Webster had to encounter, on the leading feature, prejudices and passions which fifty years of unsuccessful negotiation had engendered. The question of boundary, always the most difficult to settle, which had already placed a State of the Union and a province of the British empire in hostile array, each armed for anticipated contest, had become involved with others of vast magnitude. It had also assumed a politico-party aspect, and seemed, from its numberless complications, to be almost impossible to settle; and yet, with unsurpassed ability, and by keeping himself unembarrassed by protocols and those formalities which rather involve than elucidate, and furnish at the most a place of retreat for unsuccessful negotiation, the negotiator encountered and overcame all difficulties. True that, so far as the representative of the British government was concerned, every possible desire was evinced to settle the long-pending difficulties after a manner which would prove satisfactory to both countries; but yet the causes of complaint were numerous, and as much skill was required to reconcile conflict of opinion at home as that which existed between the two governments. On the other hand, no difficulty of serious moment stood in the way of a successful negotiation of the Texas treaty. It required only the assent of the Presidents of the two Republics *to negotiate*, and the work was all the same as done. The difficulties arose afterwards, and the people had to interpose their authority in order to crown the measure with success: an interposition, the necessity for which, I must be permitted to say, had not been anticipated in the remotest degree,—nay, had been actually guarded against, before the offer of annexation had been formally made to Texas, by assurances from the only reliable quarter that the treaty, when negotiated, would be ratified by a constitutional majority of the Senate.

In order to secure the measure, after the rejection of the treaty, Mr. Calhoun was prompt in his advice and energetic in his course of action. There was no division of opinion at the Cabinet board, or hesitation on my own part in the choice between the alternative propositions presented by Congress, and the last moments of the administration were made available for the accomplishment of the measure. Its success was, as has since appeared, by inadvertence on the part of those who controlled the action of the

Senate on the subject, placed in the power of the then Executive, and no moment was lost in making it available.

In other matters of importance Mr. Calhoun rendered valuable service, and compressed within the short period of premiership as much of public benefit as could well have been accomplished. His great mind could never be at rest, and its perceptions were oftentimes so rapid as to outrun those of all others. In illustration of this, I take leave to mention the expression of one who, in point of majesty and power of intellect, is surpassed by no man living. Many years ago, and before the existence of the railroad between Fredericksburg and Richmond, Mr. Calhoun, Mr. Tazewell and myself stopped, on our return home, all night at Potomac creek. The tariff was the debatable question of that day, and occupied intensely the mind of Mr. Calhoun. He had started a new theory, touching its operation on the public interests. Mr. Tazewell, as is his practice, urged objections to the theory, in order to have it developed in all its bearings. I left them in animated conversation at twelve o'clock. They sat up to a much later hour. The next day found Mr. Tazewell and myself journeying to Richmond, and Mr. Calhoun, by another road, to South Carolina. I enquired of Mr. Tazewell whether Mr. Calhoun had convinced him of the correctness of his theory. “No,” said he, “I have made up no opinion about it. Calhoun is always in advance of me by many months.” I could not but exclaim, “You have paid him in that the highest compliment ever paid to any man.”

His mind required no awakening, for, in truth, it never slept. He was sometimes thought to be more speculative than practical; and yet he often foresaw coming events which had scarcely cast their shadows before them. Mr. Webster sunk into quietude and repose after a great effort, but it was the repose of the eagle, which, wearied by a long flight, alights upon some lofty eminence for necessary rest, and where he may readjust his plumage for a flight that will bear him still nearer to the sun. His mind was easily aroused, and when in motion was as resistless as the tide of the ocean. In debate the style of the one was precise and didactic; that of the other, copious and Ciceronian. Mr. Calhoun had obviously made the great Athenian his model. Mr. Webster more nearly resembled the illustrious Roman. The one flashing with the inspirations of genius,—the other shaking the Senate chamber with the thunder of his eloquence. Such were these two great intellectual giants,—each suited to positions of the highest eminence, and each, in the absence of his rival, worthy of being regarded as the man of his age.

Another name is recorded on the catalogue of death which I cannot fail to mention. I mean John C. Spencer, of New York,—a man of extraordinary capacity in the dispatch of business and of the most untiring industry. Our acquaintance commenced in the House of Representatives in 1819. We served on an important committee, of which he was chairman, the duties of which were exceedingly arduous.¹ I had then occasion to note his habits of unceasing labor. His conduct in the War Department, and afterwards at

¹ Bank Committee.

the head of the Treasury, caused me to be thoroughly satisfied that time had produced no change in his energy or capacity for business. The great multitude of cases which had accumulated in the War Department, many of which involved large sums of money, melted away before his sleepless industry, and he waded through the weighty labors of the Treasury Department with the same unbroken zeal and speed. His information upon all subjects was extensive and practical, and constituted him an able administrative officer. His native State, both before he became a member of the cabinet and after he had returned home, kept him generally employed in positions the duties of which required both ability and industry for their discharge. With these qualities he would have made a valuable adjunct to the Justices of the Supreme Court, for which station he was twice nominated, but rejected by the Senate, more, as I am bound to believe, because of the part he had borne in the politics of the times than for any other reason.

Thus, within the period of thirteen years, have passed out of existence six citizens, each of whom was a man of mark, and whose names are destined to be recorded on the page of history alongside of the ablest executive officers that the country has seen. Their fidelity and ability is attested by the fruits of their labors, which are undying and imperishable, and by no fact more conclusively than this, that with their surviving colleagues they so aided in the administration of the government, that not only was a large reduction made in the public expenditures, but that, during a period of four years, but a single default occurred, and that scarcely worthy of mention, for *fifteen dollars*¹ on the part of a deputy postmaster, somewhere in the interior of Kentucky. This may be fairly offsetted by the fact that, whereas there was an actual indebtedness of that department of about half a million on the 4th of March, 1841, a surplus was left in the Treasury, through the admirable management of Mr. Wickliffe, of a quarter of a million, on the 4th of March, 1845. To which it may be added that, in the receipts and disbursements of more than \$200,000,000, the government sustained no loss whatever—a fact betokening more vigilance than that bestowed by an individual over his private affairs. Augustus Cæsar, a few moments before his death, is said to have enquired of those around him whether he had well acted his part in the drama of life, and upon being answered affirmatively, exclaimed: “Then give the applause!” and sunk into the arms of death. Might not these also have made a similar enquiry, and closed their lives with a similar exclamation?

No man's epitaph should be written until his death, hence I avoid all further mention of the surviving members of that cabinet. They, with him who called them to their high places, will soon have to follow their comrades to

¹ “And the records of our country will not show in that department the loss of a single dollar by defalcation while I had the honor of managing its finances, save in the case of one postmaster in the region of country near the locality of the gentleman from Wayne, whom I detected in having altered his post bills, and thus causing the loss of about forty dollars a year for some years.”—*Charles A. Wickliffe, in Kentucky Convention of 1849-'50.*

that silent valley, where the voices of this world no longer reach the ear, or disturb the repose of the sleepers; but where, in the language of an old and impressive Latin hymn,—

"Tuba mirum spargens sonum,
Per sepulchra regionum,
Coget omnes ante thronum."

That cabinet, with their friend and associate, who by human institutions was placed at their head, will reassemble before a judgment seat where hearts are searched and motives are laid bare. In the language of the dying Calhoun, no one of them "will war against the constitution of nature."

CHAPTER XIV.

1845—1848.

"Now I supposed that those papers (Mr. Tyler's messages) set forth honestly and candidly the true motives which prompted the executive; and that those motives were considerations of great public advantage, embracing the whole country and all its interests. And, indeed, I knew at the time the subject was freely acted upon that the President could not reconcile himself to the narrow and local views which confined the mind of Mr. Calhoun; and in conversation at that period he constantly dwelt upon the subject as of pervading national importance"—ALEXANDER GARDINER (1847.)

SEQUENCES OF ADMINISTRATIVE MEASURES.—CONDITIONAL INDEPENDENCE OF TEXAS. ACKNOWLEDGED BY MEXICO.—THE TEXAN CONGRESS ACCEPTS ANNEXATION.—THE TAPPAN AND BLAIR LETTERS.—LETTER OF JOHN Y. MASON.—MR. TYLER'S LETTER TO THOMAS RITCHIE.—LETTER FROM COL. CUNNINGHAM, AND MR. TYLER'S REPLY.—LETTER FROM ROBERT TYLER, AND REPLY OF MR. TYLER.—ANOTHER LETTER FROM CUNNINGHAM, AND MR. TYLER'S REPLY.—CALHOUN'S EGOTISM.—HIS SPEECH ON THE MEXICAN WAR.—LETTERS OF MR. TYLER TO ALEXANDER GARDINER AND R. TYLER.—GARDINER'S LETTER.—MR. TYLER'S LETTERS TO THE "ENQUIRER."—CONTROVERSY WITH SAM HOUSTON.

IN the previous chapters we have traced the annexation of Texas to the hour when the last act in the drama was performed by the American government. We have seen Texas in 1842 prostrate and moneyless. We have noticed the letter of Mr. Gilmer in February, 1843, founded naturally on the apprehensions as to foreign relations arising from this state of things; then the rapid development of the suspected forces in the occupation of the Sandwich Islands, in the truce brought about under the auspices of Great Britain, and the abolition intrigues to defeat annexation. The offer of annexation is next made by Mr. Tyler; Houston desires the separate independence of Texas, and demands assurances of protection; the Federal Congress meets; Upshur sounds the senators; he is assured of their concurrence; Houston demands still further terms; Upshur and Gilmer are killed, and tidings reach Washington of the appointment of Henderson by the Texan government, with full powers to conclude a treaty of annexation. Then a whisper gets out concerning the treaty. Mr. Winthrop,

on 15th March, 1844, introduces resolutions in Congress against annexation, and two-column editorials appear in the *Intelligencer* denouncing it. It appears from Mr. Webster's "Life" that he it was who had persuaded Mr. Gales to come out against Texas, and had induced the action of Winthrop. The very editorials on Texas in the *Intelligencer* had been written by Webster. On the 23d of January, he had published an article over his own signature, taking grounds against the policy of annexation. Webster knew that Clay was committed in favor of Texas, and the question is, how much of his course was patriotic, and how far did he look to ousting Clay from the succession?

Next we see A. V. Brown publishing his letter, received from General Jackson in February, 1843, in answer to one on the subject of Gilmer's letter. In his note to the editor of the *Enquirer*, Brown stated the publication to be induced by the article of Mr. Webster. Clay takes the alarm, and to prevent Webster from getting ahead of him with the Whigs, comes out against Texas, a policy which Van Buren adopts also, in order that the question may not affect either of them. Thus both Clay and Texas are handed over to Mr. Tyler, who nominates Polk and destroys Clay at the election in 1844. The joint resolutions follow; Mr. Tyler chooses between the alternatives, and Texas is annexed,—so far as the action of the United States is concerned.

Mr. Polk's course on coming into office was at first fully in harmony with Mr. Tyler's. He approved the election of Mr. Tyler between the alternatives presented in the resolutions, and the result which immediately developed entirely vindicated the sagacity of his predecessor.

Ever since the refusal of Anson Jones, in September of 1844, to agree to the "diplomatic act" advised by Houston, whereby Mexico was to be coerced by France and England into an acknowledgment of the independence of Texas, on the sole condition that Texas would renounce annexation to the United States, the agents of Great Britain had been busy at work urging the subject on Mexico and Texas. They found a very intelligent listener in Anson Jones, who had succeeded Houston as President of Texas on the 9th of December, 1844. The ninth Congress of Texas adjourned its regular session on the 3d of February, 1845, without having legislated at all on the subject of annexation, and it was

left by that body entirely to the control of Jones, who, according to his own statement, was resolved to "make hay while the sun shone"¹ in pushing the matter with Great Britain.

During this time Jones received tidings that the peace party of General Herrera had succeeded Santa Anna in Mexico. The British and French governments, early aware of this revulsion, and desiring to render it available for the promotion of their designs against the United States, sent immediate instructions, by swift-sailing vessels, to their diplomatic representatives in Texas and Mexico, to renew the proffer of their good offices to obtain a settlement of the difficulties between the two countries. These vessels, having delivered their dispatches at Galveston, set sail immediately for Vera Cruz, and for some time after were kept suspiciously engaged in the Gulf carrying dispatches between Texas and Mexico, a circumstance that created considerable excitement in the United States,—very unnecessarily so, Anson Jones said, but certainly very naturally, as, according to himself, the charges against him of hostility to annexation "remained unnoticed and uncontradicted."

In March, 1845, the ministers of England and France waited upon President Jones, and found him quite ready to forward their movements. On the 29th of March, 1845, Ashbel Smith, then Texan Secretary of State, prepared and signed certain preliminary articles to a treaty of peace between Texas and Mexico, in which Texas engaged not to annex herself or become subject to any country whatever. This was transmitted to the Mexican president, who submitted it to his Congress, by whom it was ratified by a large majority.

Before, however, the tidings of this last fact could reach Texas, the messenger bearing the joint resolutions from the United States arrived at Galveston. Mr. Donelson, the American *chargé*, hastened to Jones at Washington, Texas, with the dispatches thus conveyed, arriving there on the 1st of April. The enthusiasm of the people of Texas forced Jones to convene Congress for the 16th of June, and to recommend a convention to meet on the 4th of July. No wonder that Jones, with the Mexican proposition pending, expressed to Donelson "*surprise*" that the President had selected the alternative of immediate annexation. "I was clearly

¹ Niles, lxxiii., p. 308.

of the belief," writes his own Secretary of State, "that he would have preferred independence to annexation."¹

"Alas for annexation!" said Mr. Tyler, "if the American executive had been driven to the alternative of presenting Benton's proposition for new negotiations instead of definitive terms." "What," asked he, "if the United States had presented at the time no definite proposition for annexation, is any one prepared to say that the Mexican proposition would not have been accepted?" This pointed question put Jones' claim in as ridiculous a light as Houston was put by the "diplomatic act,"—the claim being that "but for him annexation would never have taken place, and he (Jones) was always its devoted friend."²

When Congress met, independence and union were both bidding for Texas with arms outstretched. The Texans had been such long enough to have instantly accepted the former condition if there was a doubt about the latter. Happily, the doors of the Union, by the policy of Mr. Tyler, stood wide open, and, under the circumstances of the case, their American instinct outweighed their Texan patriotism. The peace with Mexico was rejected by the Senate unanimously on the 21st of June; and on the 23d, Congress, by a joint resolution, adopted the annexation proposition unanimously, and on the same day Jones gave it his approval. But the convention of the people alone could transfer any part of the powers vested in Congress to the agent at Washington, D. C. The latter body assembled, ratified the act of annexation, with one dissenting voice, formed a constitution as a State of the Union, and submitted the whole to the Texan people. It was approved by them, and the Lone Star of Texas, after a struggle of ten years, found its proper place in the galaxy of the stars of our Union.

Never were men more thoroughly embittered than the Van Buren *loco-focos* were by the annexation of Texas. Mr. Polk, disgusted at the half-hearted support of Blair and the *Globe*, turned to Mr. Ritchie as the government editor. Blair was compelled to dismount from the tripod and sell his paper; and a new party organ, called the *Union*, took the *Globe's* place at Washington.

Yet, while the election of Polk was the overthrow of *loco-focoism* and Democratic Federalism, Polk himself had always be-

¹ Ashbel Smith's "Reminiscences of the Texan Republic," p. 81.

² Anson Jones to H. Stuart.—*Niles*, lxxiii., p. 311.

longed to the circle of Jacksonism, and in his efforts to reconcile the "ancient leaders" to a subordinate position in the ranks, he involved himself and his party in the most serious difficulties. He overdid the thing. His zeal to serve them was taken as a confession of weakness, and resulted merely in aggravating their brutal insolence. Parties were very nearly balanced in the Senate, and Benton and his friends could throw the majority, at any time, against the administration. To gratify, therefore, the Moloch of Van Burenism, Polk consented, despite the protest of Mason, the only man retained of Mr. Tyler's cabinet, to proscribe the few personal friends that Mr. Tyler had appointed to office, forgetting that he owed his own office to Mr. Tyler; and his brother, William H. Polk, had also accepted office under Mr. Tyler at the last session of Congress. Polk would hardly have ventured on this course if Mr. Tyler, in his appointments, had looked more to his own friends and less to the public good.¹

Polk's fear of Benton became so great that he recommended to Congress to appoint a general above all "Major-Generals" for the duration of the Mexican war; and it was generally understood that Benton was intended for the place. But all would not do. Van Buren, Benton, Tappan, Blair, Preston King, *et id omne genus*, soon found that, do or say what Polk might, the party had disowned them. The grip of *loco-focoism* on the Democratic party, with all its corruptions and lack of principle, was relaxed for ever. Congress refused to adopt the suggestion of Polk, "and Taylor and Scott continued to be the leading generals of the Mexican war."

The conduct of the *loco-focos*, on awakening to the knowledge of the real state of things, was worthy of their name and past career, worthy of the servile approval of the removal of the deposits without law, of the Force bill, which clutched under the cloak of Union the poisoned dagger of vindictiveness, of the Swartwout default, and all the frauds and swindles from 1833 to 1840. They basely betrayed their benefactor, Polk, broke up his party, nominated Van Buren (who had called himself "a

¹ Dr. John Minge, of Petersburg, son of the friend of Mr. Tyler's youth (see Vol. i., p. 297), writes a long letter, dated March 18, 1844, reproaching Mr. Tyler for having kept the important offices of the government "too much out of the line of his personal friends." "It was the backbone of General Jackson's strength, because to be his friend was a guarantee of his patronage."

Northern men with Southern principles,") on a free-soil platform, and ascribed to Polk himself the most shameless breach of faith in connection with the Texas resolution.

The depths of depravity of these men can never be fully sounded. They had pretended to be followers of Jefferson, and had exceeded John Adams himself in contempt of the Constitution. They pretended to be friends of the South, and yet on every question of interest (tariff, etc.) had voted square against them. They had boasted of being "Northern men with Southern principles," and yet broke up the Democratic party on the test question of slavery in the Territories. They accepted for two years repeated favors from Polk; and then, after a long silence, published to the world evidence which, if true, was enough to damn them and Polk in the eyes of all honest men.

In the summer of 1848, Tappan and Blair, having determined to go over to the new party of "Free-soilers," came out in letters charging upon the then President a commitment in private to Benton's Texas proposition, contemplating "missions and negotiations." Polk was also represented as promising to recall Mr. Tyler's Texas messenger. On the strength of this understanding the votes of Benton, Tappan, Bagby and Dix were said to have been secured in February, 1844, for the Texas resolutions, as amended by R. J. Walker. Benton, in his "Thirty Years' View" (ii., pp. 636-'38), represents the facts as incontestable, and makes a great parade of the interviews with Polk. The abominable character of the transaction, that sought by secret coercion to forestall Polk's choice, and bend the government to the inclinations of a few senators, seems entirely to escape the apprehension of Benton and his friends, Tappan and Blair.

No public notice was taken of the charges by Polk, since, whatever might be said of him in other particulars, he was immeasurably superior as a man to his traducers, and the high office he held closed his lips. He died only a few months after the close of his term of office.

But Polk, during his lifetime, gathered together the proper material for refutation, as will be seen from the letter of John Y. Mason, soon to be produced.

Had the facts charged by the disconcerted *loco-focos* been true, it would only go to show how fortunate for annexation had been

the course of Mr. Tyler in selecting the House resolutions and making the selection when he did.

As for Blair and J. C. Rives, his partner, they had all sorts of things to say about their downfall from the tripod of the *Globe*. They kept dragging the subject up for the next twelve years. It was a merited punishment for their sins against the Ashburton Treaty and Texas annexation; but it was not inflicted by the hand of Mr. Tyler, who in his crushing triumph could afford to pass by the yelps of the little dogs, "Tray, Blanche, and Sweetheart." Mr. Tyler was well aware that the Democratic party, which had gone for annexation, would never endure the rule of the *Globe* and Blair, and was content to leave "him and his tribe" to the avalanche of impending ruin, without anticipating its precipitation. Yet Blair's conceit was so enormous that he made the reason of Mr. Tyler's withdrawal from the canvass in 1844 the pledge from Polk that he (Blair) should be slaughtered and the *Globe* dethroned. He had all sorts of things to tell of the objects of annexation, as conducted by Mr. Tyler; and he and Benton and the rest joined with the abolitionists in portraying it as an intrigue, a disunion conspiracy, a plot for the ascendancy of slavery, in which Mr. Calhoun, the representative of *ultra* Southern views on slavery, was the "*deus ex machina*," who used all other men as puppets to his will. According to this wonderful story, Mr. Calhoun had been the beginning and end of Texas annexation; and through all its gloomy shades, crooked turnings, sinister windings, and magic ramifications, his had been the dark and mysterious spirit which had nursed it to its consummation.¹

¹ Since writing the above I have had a very interesting conversation with Judge W. W. Crump, who was fully acquainted with the political manœuvres of 1843 and 1844, and was familiar with Judge Upshur's political views. Upshur had opened his batteries in the *Madisonian* in favor of annexation, but met with no echo from the papers in Virginia. During the fall of 1843 he sent for Judge Crump, then a very young man, to visit him in Washington. "Crump said that Judge Upshur had won an exalted reputation at the bar and in the councils of the State, and, being without ambition for office or place, his powerful intellect was rarely called into full use by the quiet duties of a circuit judgeship. But when placed at the head of the Department of State, the breadth of his field of action awakened his giant mind into full play, and his desire for the glory and grandeur of the Republic aroused all his latent powers.

"During the period he remained at Washington in his company, Judge Upshur discussed the Texas question in all its relations. Pointed out the dangers of losing Texas, and of the then imminent peril of an alliance between herself and England,

In Benton's "Thirty Years' View" the reader is treated to an intrigue which would be enough to overwhelm the reader with horrible ideas of Mr. Tyler, Mr. Calhoun, and Mr. Polk, did he not know that these were the downright fabrications of men whose like will never be seen again—men who could say anything and believe anything.¹ When the Republicans, in 1856, raised the flag of "Radical Democracy," all these *Democratic* characters were found in active alliance, or passive affiliation with them. The new party united *loco-focoism* and Federalism, proving over and over again that they were one.

I give here, in connection, such of the correspondence of Mr. Tyler as bears upon the charges of Tappan and Blair, Polk's treatment of Mr. Tyler's friends, and Calhoun's connection with annexation :

and the fearful consequences which might follow from the presence of a foreign and a rival State on our Southern border.

"No allusion was made by him to the possible effect of the annexation question upon the political fortunes of any candidate for the presidency. He treated the subject as a patriot and a statesman might view it, and no ignoble thought or suggestion fell from his eloquent lips, as in burning words and with resistless logic his majestic intellect drew a picture of the coming greatness of the Union, when her territory touched the Rio Grande.

"Instructed by him, his visitor was asked to awaken, if he could, the attention of the State to this pressing question. Accordingly, in December, 1843, he began the discussion of annexation in Richmond. At that time there were two especially prominent candidates for the presidency before the country—Mr. Clay and Mr. Van Buren—and it was generally believed that an understanding existed between them and their friends that the Texas question should be kept out of the field in the approaching canvass. The *Enquirer* was Mr. Van Buren's organ in Virginia, and though not averse to annexation, it took no part in its advocacy, while Mr. Van Buren, while not openly hostile, was distrusted, and known to look with disfavor upon the vigorous methods proposed for acquiring Texas. The young Democracy of the State, and some of its older leaders, would not permit the question to remain in abeyance, and in a few months the sentiment of the State was so overwhelmingly in favor of annexation, that the *Enquirer* became its open and earnest advocate, and Mr. Van Buren was beaten for the nomination by Mr. Polk, who was thoroughly in favor of the prompt annexation of Texas. It is not doubted that Van Buren's becoming, in 1848, the "Free soil" candidate, grew out of his antipathy to the Democratic party, which had discarded him in the convention of 1844 for his heresies on this question."

Judge Crump says that Calhoun had no agency whatever in inducing the action of the Texas men in Virginia ; that he opened the ball at the instance of Judge Upshur. The text, therefore, needs no correction.

¹ Dr. H. Von Holst is gullible enough to accept all the statements of Blair and Benton as gospel truth, just as he does those of Ewing and his allies in the cabinet of Harrison.

[FROM JOHN Y. MASON.]

(Confidential.)

WASHINGTON, Nov. 29, 1848.

MY DEAR SIR: When in New York I had a conversation with Mr. Alex. L. Botts,¹ a friend whom both you and I highly esteem, and he mentioned to me that you had made inquiries of him in regard to my course towards you and your administration, which he could only meet by his opinion, and one or two circumstances. I understood Mr. Botts as desiring that I should consider his communication as confidential, and only spoke of it to Col. Montague, one of the best of men, and one with whom my communications have been more unreserved than with any other in Washington. I am aware that, without any wish on my part, he has communicated with you on the subject. I say without my wish, because I think that on such matters a third party is not always able to remove unjust impressions, and I did not feel at liberty to communicate with you. I have received from Mr. Botts a letter, which I venture to enclose for your perusal. When I conversed with him, I did not understand that he had satisfied your mind. I perceive that he thinks that he has done so. Whether he is correct or not, I will not permit any fastidious scruple to prevent me from writing you. It is not right that you should regard me with distrust; and humiliating as it may appear that I should speak on a matter which would imply that I had acted unworthily, I value your esteem too highly to permit you to remain under a false impression in regard to my conduct.

I do not seek to know from whom, or in what manner, your confidence in me was disturbed; but I state, and there is not one who can truthfully say otherwise, that I have never abused or disparaged you or your administration; or what is more, that I have never failed on every occasion to defend both the one and the other. If my advice had been taken, urged as it was with the most thorough conviction of its wisdom, the President would not have removed from office many of your appointments, and he would have escaped the mortification of seeing his misplaced confidence requited with abuse and ingratitude. I declined to accept office in Mr. Polk's cabinet, when offered to me. I made no effort to procure it; and I would have gone home but for the earnest recommendation of Judge Bibb, Mr. Nelson, and other friends, to remain here, where they kindly thought I could do good. My transfer to the Navy Department was not at my suggestion, or in consonance with my wishes. I yielded to it under a sense of duty. If my word requires confirmation, those who have witnessed my conduct under the utmost freedom of expression and act will confirm what I say. I have no claims on you. I have ever felt grateful to you for your kindness and consideration extended to me under all circumstances. And it is because I have these feelings, and because I know that I have faithfully acquitted myself of all the duties of a grateful friend, that I have felt the deepest mortification that you should have doubted even whether I had pursued a course ungrateful, unmanly, and unworthy.

I must speak to you on another subject, and it is in reference to that alone that I mark this letter confidential.

One of the characteristics of President Polk is secretiveness, if I may use

¹ Brother of John M. Botts.

such an expression. I have never disregarded his wishes in that respect, and therefore have been not unfrequently unable to give explanations which would have been, on a statement of facts, entirely satisfactory. When the publications of Messrs. Tappan and Blair appeared, he conversed with the members of his cabinet, and as there was not one of them who had the least idea that the charge, then for the first time made, was otherwise than a device to excuse those who voted for the annexation of Texas, and determined to go over to Van Buren, and justify his opposition to that great measure, Mr. Polk determined to collect the necessary evidence to be used in a reply to the charge against him, if it should ever become necessary. He addressed a letter to me, asking if I knew of such a commitment on his part as was imputed, or had any reason to believe that he had so committed himself. *He did not* wish it known that he had taken this step, for the good reason that he might never notice the publication.

I could say, with great confidence, that the circumstances, and his conduct and conversation, had so impressed me with the belief that he had not examined the question of preference of plans, and that his judgment unhesitatingly confirmed your decision, and I considered the fact of your communication with him, his silence as to any choice, his prompt selection, and his unhesitating communication of his concurrence with you, to Congress, conclusive to show that the annexation had been concluded as it commenced, and was prosecuted fairly, honorably, and patriotically. But I would not state that fact until you gave your consent. I do not complain of your decision, or ask any authority. In my answer to Mr. Polk I do not allude to it. But my correspondence with you has been under restraint, because I wished not to disregard Mr. Polk's scruples. I venture to do so now, that you may see the whole of my motives and conduct, and to remove any belief that I have not disclosed you all that actuated me.

This is a long letter; perhaps it will surprise you. I beg that you will read it through, and I think that you will see that I could not have felt or written as I have done if there had been any foundation for the wicked aspersions which were communicated to you.

I am, very respectfully, your obedient servant,

J. Y. MASON.

[JOHN TYLER TO THOMAS RITCHIE.]¹

SHERWOOD FOREST, *January 9, 1851.*

MY DEAR SIR: The charge of Mr. John C. Rives of collusion between Mr.

¹ The *Enquirer* of January 17, 1851, which copies this letter from the *Union*, includes also the statements of Mr. R. J. Walker and Major Heiss, and introduces them with comments, of which this is a paragraph:

"For some weeks since a protracted and irritating newspaper warfare has been going on between the editor of the *Union* and John C. Rives, connected with the public printing. Rives, it is well understood, is the cat's-paw of the New York *Evening Post*, the supple tool of Martin Van Buren and his wretched crew. The great object in view seems to be the establishment at Washington of an organ to push on the presidential prospects of Thomas H. Benton, Mr. John C. Rives to be the financial manager and beneficiary."

Polk and myself in 1844, with General Cameron as the instrument, for the destruction of the *Globe* newspaper, edited at the time by Messrs. Blair and Rives, would most probably have been permitted by me to have descended without a word of comment to the same common tomb with a thousand other falsehoods, but for the emphatic manner in which you refer to me in the *Union* of the 2nd of January, which paper did not reach me till the day before yesterday. Not being a subscriber to either the *Union* or *Globe*, I did not know of the existence of the controversy between yourself and Mr. Rives, and of course was ignorant of the fact that my name was figuring in it until copies of both the papers reached me by our last mail. I propose to respond to the allegations of Mr. Rives with as much brevity as possible. His charge consists of two allegations, the first embracing Mr. Polk and myself, the second Mr. Polk, Mr. Cameron, of Pennsylvania, and myself. By the first I am represented as making an overture to Mr. Polk as the condition precedent to my withdrawal from the presidential canvass of 1844, which overture is said to have been accepted by Mr. Polk, that in the event of his election to the presidency he should not make the *Globe* newspaper, edited by Messrs. Blair and Rives, the official organ of his administration; and secondly, to enable Gen. Cameron to purchase out the editors of the *Globe*, he being the instrument selected by Mr. Polk and myself for the accomplishment of that purpose, it was arranged that I should cause to be deposited in some bank at Middleton, Pennsylvania, over which General Cameron is said by Mr. Rives to have had complete control, \$50,000 of the public moneys, which was accordingly done in November, 1844, and which money Mr. Polk was not to withdraw from the bank until 1847, and then by small amounts. Such is the substance of Mr. Rives' allegations,

As to the first allegation, I solemnly declare that I never made or authorized to be made to Mr. Polk any such overture as that described, or any other of any sort or description as a preliminary to my withdrawing from the canvass, and that if any one approached him in my name with a view to urge any such stipulation or overture, he did so without a shadow of authority from me, and in utter ignorance on my part of his having done so. Nor had I the slightest conceivable knowledge of Mr. Polk's intentions upon the subject of an official organ, not having in any manner or at any time approached him in regard to it. I mean to make this statement as broad as language can make it. My reasons for withdrawing my name from the canvass are set forth in my public address of August, 1844, "to my friends throughout the Union." The convention of my friends, which assembled in Baltimore at the same time with the Democratic convention, had by its prompt action not a little aided, as I believe, in inducing the Democratic convention to nominate a candidate favorable to the admission of Texas into the Union, and I had nothing left of a political nature to desire other than what is set forth in that address.

The foregoing declaration might well preclude, any reply to Mr. Rives' second allegation in regard to Mr. Cameron, who is represented as the instrument selected by Mr. Polk and myself to carry out the alleged agreement. There being no such agreement, there could be no agent or instrument of any sort required. But the allegation is of too gross a nature to merit only an

inferential negative. Not content with representing Mr. Polk and myself as carrying on an intrigue, we are accused of violating a high public trust by using the public money for consummating such intrigue. The lips of Mr. Polk are sealed in death, but he must have lived to little purpose if he had not secured himself a sufficiency of public confidence in his honesty as to shield his character against such an imputation as is now attempted to be cast upon it. For myself, I emphatically declare that I never exchanged a word with Gen. Cameron, or authorized any other to do so for me, on the subject of the purchase of the *Globe* newspaper, and I have no knowledge of the entertainment of any wish, willingness, or intention on his part to purchase that newspaper. If \$50,000, or any other sum, was placed on deposit with the Middleton bank, of which at this time I have not the slightest recollection, but which may very well have been, I doubt not that it was done for reasons entirely satisfactory to the Secretary of the Treasury, and on securities of the most ample character; and if Mr. Walker, the Secretary of the Treasury under Mr. Polk, did not withdraw the fund until 1847, and then in the manner set forth by Mr. Rives, it proceeded doubtless from considerations having exclusive reference to the public interests, and from no other. He is fully equal to the task of explaining his own course. Upon the expiration of my term, I left in the Treasury from seven to eight millions of dollars of surplus funds, all resting on most perfect securities, their safety increased by the fact that overlarge sums were not deposited with any.

Here I take leave of the subject, and subscribe myself, my dear sir, with sentiments of high respect, yours, etc.,

JOHN TYLER.

[FROM COL. JOHN S. CUNNINGHAM.]

PORTSMOUTH, VA., *January 27, 1851.*

MY DEAR MR. PRESIDENT: I have just returned from my Washington tour, where I saw all the great men of the nation, and the small ones too! Among those who were at the old National Theatre to see the circus with Madame Caroline Loyola, "the greatest female equestrian of the age," was Mr. Ritchie. He was rejoiced at your letter from Sherwood Forest about the \$50,000 affair; as indeed he should be, for it helped him out of the scrape more than anything else, and it seems to be regarded everywhere as a "settlement."

Mr. D. S. Dickinson, of New York, was very proud of the message I delivered from you, and desired me to return you his distinguished consideration.

In the course of a chat in the Senate chamber with Sam Houston, I mentioned your silver pitcher from the ladies of Brazoria. He replied, "that was intended as a hit at me!" and then added, that for all his military and civil triumphs he was never honored in Texas with a present; nor, said he, can there be found on the records of the State a single vote of thanks, or the like of any sort! He requested me to say to you that he held you in high esteem; and that if you should ever visit Texas, whose people regard you with reverence and admiration, you would be received with a glorious warmth, and that he himself would go down to the sea-shore to make you the welcome

speech. One of the counties of Texas is named after you, and also the seat of another county.

My arrangements for the Old World are made for the 1st of April. I shall be glad to receive your letter to Mr. Wm. C. Rives as soon as it pleases you to write it. Do you know Mr. D. H——, who now resides in London? He was lately at Baltimore,—that is, when you were President.

I have been appalled to hear of the death of Alexander Gardiner! Cut off in the very prime of life! The Southern papers should do justice to his memory. His conduct as United States commissioner showed him to be a very "proper man." Do you choose to write an obituary?

I wish I could go out as bearer of dispatches to England, with pay attached, or without pay rather than not at all; *but* the pay, if possible. Now, I have no acquaintance in the world with Webster, and I know no one who has influence with him. I am in doubt as to the propriety of my asking you to intercede for me. Whether it would be proper for one who has been President of the United States to condescend to ask a favor of the sort at the hands of Mr. Webster, Secretary of State, I know not. I trust, however, that you will accept my ignorance as my apology.

Please make my respects to Mrs. Tyler, and say that I have not yet found the paper with Lord Morpeth's lecture. But I shall remember it for her.

The article on the Treasury Report of Mr. Corwin has been published in the *Pilot*. I shall remain here for a month, probably.

With the highest regards, I am, Mr. Tyler, yours very faithfully,

JNO. S. CUNNINGHAM.

[TO JOHN S. CUNNINGHAM.]

SHERWOOD FOREST, Feb. 5; 1851.

MY DEAR SIR: Enclosed you have a letter for Mr. Rives. I know H——, but he was disappointed in obtaining a foreign mission under me, and I think that a letter from Mr. Meyer, of Baltimore (not Brantz, but his brother), would be of more avail. Of the administration I can ask nothing. I regret this especially on your account, as there are but few things that I would not do to meet your wishes. It might be that, if you directly solicited the appointment of bearer of dispatches of the President, and more particularly if you could be backed by some Whig members of Congress, you would succeed. However, the facility of communicating through the steamers renders it difficult to obtain the place of *special dispatch*. It was so in my time.

The message from General Houston was wholly unexpected. I know not whether I shall ever visit Texas; undoubtedly if I did, I should feel myself honored by the proposed attentions on the part of the conqueror of its independence. I do not think that the present of the "pitcher" by the ladies of Brazoria had its origin in any unkind feelings towards him. If he has received no similar testimonial, the people of Texas has given him much higher proofs of their esteem in the exalted offices conferred upon him.

J. C. Rives' attack was one of those extraordinary inventions which puzzles one to account for. It is his second attack upon me since I left Washington. He need have looked no farther than to the files of his own paper

conspiracy. The idea that Calhoun had any thing to do with originating the measure ~~is~~ is as absurd as it is designed to be worked. I exchanged no political views with Calhoun at all until he became a member of the Cabinet. and at the time of my directing Upshur to enter upon the negotiation Calhoun was in private life.

The knowledge of what was designed was confined to Upshur, Nelson and Van Zant. and if Van Zant had possessed power to negotiate, the treaty would have been negotiated in a week - and furthermore if Genl. Henderson had used the City before Calhoun, John Nelson, the Secretary and interim would have concluded the matter. Calhoun reached before Henderson and therefore did what either Upshur or Nelson would have done as well - As to the convention in Baltimore you know that Calhoun had no more to do with it than a man in Hanover - and to any intrigue with Polk about the globe that is mostly the old tale of John C. River ^{in his controversy with Mr. Ritchie} revived for the occasion. I put the matter off until to rest at that day, and shall hardly trouble myself about it again.

I do not believe that the world ever saw a more perfectly unprincipled set than that which surrounded Jackson at Washington. But the survivors of them cannot get one and shall not disturb me - and I leave Blair and all his tribe to lament over their downfall without interfering with their sorrows.

We are all pretty well again, and Mr. Buchanan, who has been quite sick, is greatly improved.

With love to all

Wm. Hall

John Tyler

Herwood Forest
May 9. 1856

Dear Robert:

I have of Blair's dreams
with mingled feelings of contempt and amusement at the deeply laid plots and intrigues for the destruction of F. P. Blair concocted and urged by so very many persons. He is so wrapped up in his own importance, that he does not see that he wrote his own Epitaph before Mr. Polk had become a Monarch for the Presidency. He opposed the Ashburton Treaty and the annexation of Texas. At the first disturbed him in his position, the last sealed his fate. The most ludicrous part of the business is that he gives publicity to Genl. Jackson's letters to him written in great confidence and in the last hours of his existence (letter by the by which for the sake of Genl. Jackson should never have been published) when he disregarded altogether the advice and ^{prudent} ~~strong~~ appeals of the Genl. constantly urged upon the public, in favor of annexation. In urging upon the Calhoun - By law a domination: a conspiracy against the Union, with what grace has he smothered all implication of Genl. Jackson in the

to have divined the cause of his loss of position. It was Van Buren and anti-Texas. The fate of the master befell his servitor, and both were classed with the dead before Mr. Polk's advent.

The death of Alexander Gardiner has been a severe blow to all of us. His memory deserves to be embalmed in the hearts of every lover of the country. His bold and fearless discharge of his duty in the midst of the wild ravings of fanaticism entitles him to a high niche in the temple. The article which appeared in the *Enquirer* in relation to him was in every way deserved; and if the *Pilot* has not copied it, I hope it will either do so, or publish an article of its own.

The article in the *Pilot* on the Treasury Report I could have wished an extensive circulation.

I hope you have it in your power again to visit us before you leave the country. Be assured it will give us great pleasure to see you.

With constant regard, yours truly,

JOHN TYLER.

[FROM ROBERT TYLER.]

May 3, 1856.

MY DEAR FATHER: Enclosed I send you a silly letter by Mr. Blair. He cannot understand, it seems, that the Texas question pushed him from his stool; and he therefore imagines all sorts of motives and intrigues.

Will you send me a copy of your address¹ when published? We are all well.

Your affectionate son,

RO. TYLER.

[TO ROBERT TYLER.]

SHERWOOD FOREST, May 9, 1856.

DEAR ROBERT: I have read "*Blair's dreams*" with mingled feelings of contempt and amusement—contempt for the puerile weakness of the egotist, and amusement at the deeply laid plots and intrigues for the destruction of F. P. Blair, concocted and urged by so very many persons. He is so wrapped up in his own importance that he does not see that he wrote his own epitaph before Mr. Polk had become a nominee for the presidency. He opposed the Ashburton treaty and the annexation of Texas. If the first disturbed him in his position, the last sealed his fate. The most ludicrous part of the business is that he gives publicity to Gen. Jackson's letters to him, written in great confidence, and in the last hours of his existence (letters, by the way, which, for the fame's sake of Gen. Jackson, should never have been published), when he disregarded altogether the advice and pressing appeals of the General constantly urged upon the public in favor of annexation. In urging upon the *Calhoun-Tyler administration* a conspiracy against the Union in the conception of that measure, with what grace has he omitted all implication of Gen. Jackson in the conspiracy? The idea that Calhoun had anything to do with originating the measure is as absurd as it is designed to be wicked. I exchanged no political views with Calhoun at all until he became a member of the cabinet, and, at the time of my directing Upshur to enter upon the negotiation, Calhoun was in private life. The knowledge of what was designed

¹ Address at Petersburg, "Dead of the Cabinet." See chapter preceding.

was confined to Upshur, Nelson, and Van Zandt; and if Van Zandt had possessed powers to negotiate, the treaty would have been negotiated in a week; and furthermore, if Gen. Henderson had reached the city before Calhoun, John Nelson, the Secretary *ad interim*, would have concluded the matter. Calhoun reached before Henderson, and therefore did what Upshur and Nelson would have done as well. As to the convention in Baltimore, you know that Calhoun had no more to do with it than a man in Kamtchatka; and as to any intrigue with Polk about the *Globe*, that is merely the old tale of John C. Rives, in his controversy with Mr. Ritchie, revamped for the occasion. I put the matter effectually to rest at that day, and shall hardly trouble myself about it again. I do not believe that the world ever saw a more perfectly unprincipled set than that which surrounded Jackson at Washington. But the survivors of them cannot fret me, and shall not disturb me; and I leave Blair and all his tribe to lament over their downfall without interfering with their sorrows.

We are all pretty well again, and Mrs. Beeckman, who has been quite sick, is greatly improved. With love to all, your father, JOHN TYLER.

[FROM JOHN S. CUNNINGHAM.]

WASHINGTON, *May 4, 1856.*

MY DEAR SIR: F. P. Blair, having gone over to the Black Republicans, endeavors to show in the remarkable letter I here enclose for your perusal, that there is no longer a "Democratic party proper." He grows rabid at the reflection that your Excellency, when President of the United States, demanded and caused his downfall from the editorial tripod of the *Globe* at Washington. It never entered my head that the editorship of the official organ for a new president could be a matter of so much concern, diplomacy and financiering. Blair has revealed *his* leaf of that history; no one but yourself is left to shed light upon the other side of the page.

Always yours,

JOHN S. CUNNINGHAM.

[TO JOHN S. CUNNINGHAM.]

SHERWOOD FOREST, *May 8, 1856.*

MY DEAR SIR: The breaking down of the steamer *Augusta* left me without the means of reaching Richmond, and therefore prevented the repetition of the lecture at the time appointed. Since then Mr Washington has appeared in print with the declaration that, as Virginia and the Federal government have so far failed to make the purchase of Mount Vernon, the property is no longer in market, from which I infer a settled determination on his part not to sell, and have, therefore, said in a letter to Mr. Ritchie, who represented the ladies of the association, that if Mr. Washington's intentions receive the same interpretation at their hands, that I presume their request may be considered by me as indefinitely postponed. I await his answer in order to decide upon my course. If the ladies repeat their request, I shall obey their wishes, since I have no objection to repeating what I have said of that noble and talented set of men.

I have read the papers you sent me containing *Blair's dreams*. In his

waking hours he cannot account for his fall, and then dreams of a combination and conspiracy on the part of the whole world for his undoing. If he would only rub his eyes a little, and bathe them in the gushing waters of Silver Spring, he would have no occasion to conjure up fancies, but would become sensible of the fact that he had victimized himself. He opposed the Ashburton treaty and the annexation of Texas, preferring, on the last question particularly, to follow the lead of the broken down factions of the day to adopting the expressed opinions of General Jackson in the matter, or listening to the loud rallying cry of the Democratic party. From that moment Mr. Blair was dead, and it only remained for Mr. Polk to chant his requiem. His course personally towards me was the same at the one period and the other. At the time of the Ashburton treaty it was the *Webster-Tyler* administration; at that of Texas it was the *Calhoun-Tyler* administration. Let the good man dream on. I shall not disturb his slumber, already abundantly uneasy.

The fancied connection of Mr. Calhoun with the Texas movement in its origin, his agency in inducing the convention of my friends at Baltimore, the Cameron affair, and the *Calhoun-Tyler* and *Polk* and *Armstrong*, and *Donelson*, etc., conspiracy to supplant the *Globe*, by substituting Mr. Ritchie or anybody else as the editorial mouth-piece of Mr. Polk, is the sheerest invention that ever was conceived of. If Mr. Van Zandt, the Texas minister, had possessed full power to negotiate the treaty at the time of its inception by me, the work would have been done by Mr. Upshur before Mr. Calhoun, who was then in retirement at Fort Hill, would have ever heard of it; or if, after the death of Mr. Upshur, the new commissioner from Texas, General Henderson, had reached Washington in advance of Mr. Calhoun, Mr. Nelson, the Secretary *ad interim*, would immediately have concluded the matter, the preliminaries of which had all been previously arranged between Van Zandt and Upshur. As to my convention at Baltimore, Mr. Calhoun had no more to do with it than a man in Nova Zembla. I never troubled myself even to enquire his opinion about it. I had my own views in calling it, and they were accomplished; and as to any intrigue with Mr. Polk, or anybody else, as to Mr. Polk's organ, please see a letter written by me to Mr. Ritchie, and published in the *Union* in the controversy between J. C. Rives and Mr. Ritchie upon that same subject. I write thus much for your satisfaction, and I write in haste.

Yours truly,

JOHN TYLER.

[To R. TYLER.]

SHERWOOD FOREST, May 19, 1856.

DEAR ROBERT: I was disappointed in delivering, or, more properly, repeating, my lecture in Richmond, in consequence of my inability to reach there by reason of an accident to the *Augusta*. Several days elapsed before any boat took her place. Nor do I regret it, since Mr. Washington's letter has appeared, which expresses, to my mind, the determination not to sell. He is perfectly right not to sell the tomb of his ancestors to any other than the State. I leave Congress out of the question, as I am clear in the opinion

that that body has no right to purchase. The ladies of the Mt. Vernon Association take a different view of Mr. Washington's intentions, and have repeated their request to me, fixing the 14th June for the lecture; but a letter lies by me in which I indefinitely postpone the subject. A similar declension has been announced to the ladies of Lynchburg, who, before Mr. Washington's letter appeared, earnestly pressed me to repeat at that place. And now comes up an application from an agent of the New York *Herald* for the manuscript for publication in that paper. I have said, "When published, the *Herald* shall have it."

The address contains some things which will be new to the public, and others which, without being seemingly designed for the purpose, will put to flight Blair's fancies. His exposé has not even been noticed by the Southern press, so far as I have seen.

Have you seen Irvin's review of Mr. Buchanan on the slave-question? It has produced some effect in this quarter. Irvin is the editor of the Democratic paper at Lynchburg. I have no doubt but that the article does injustice to the present opinions of Mr. Buchanan; but it becomes his friends to notice it.

General Pierce has many friends, and I confess that I incline strongly to him, although I do nothing and say nothing. It seems to me that unless the South shall definitely decide in favor of the single term as an inflexible rule, that great ingratitude will be involved in its opposition to the President. He has certainly, on the absorbing question of the times, been as true as steel. However, I do not concern myself about these things, so let my views pass for nothing. I will say, however, that if Pierce and Buchanan shall slay each other, Douglas will not be powerless in Virginia. *General Rusk* has not yet been spoken of. The fact is that, Pierce and Buchanan aside, there is no fixed public sentiment among the Virginians and North Carolinians. Everything is afloat. Fillmore having been nominated by the Whigs has caused my name sometimes to be mentioned, but I have neither longings nor ardent desires; so go your own way without thinking of me.

What has become of my friend Stockton? Is it true, as reported here, that he has joined the Know-nothings? I don't know how to credit it.

My paper is full, and so adieu.

Your father,

JOHN TYLER.

The Mexican war broke out through the indiscretion of Mr. Polk. Mr. Tyler disapproved of the policy of the administration, as did Mr. Calhoun. There was no necessary connection at all between annexation and a war with Mexico. War was precipitated by Taylor's advancing his troops to the Rio Grande, where the Mexicans had a few scattered settlements; and this was done at a time when the irritation between the United States and England was at fighting point. This strengthened the back-bone of Mexico, and the territory, which might have been acquired by peaceable negotiations, was secured only after a costly war, engendering the

most fearful antagonisms on the question of slavery. The line of thirty degrees thirty minutes had been readily extended through Texas, and under the influences of peace might have been continued to the Pacific ocean. But war roused the passions of men to fury, and rendered the policy of Mr. Tyler impossible.

Mr. Calhoun, during the course of the war, assumed the idea of fortifying a line, and opposed the subjugation of Mexico. This placed him in a more isolated position than that occupied by him in 1833. Some four or five senators made up his party in the Senate. This gave Benton, who had never recovered from the annexation measure, a fine opportunity, as he thought, to recover his old place at the head of the Democratic senators. He pretended to take the lead in urging war, and retorted upon Calhoun, for his opposition to the war, the fact of his having been the great author of the Texas conspiracy, which had caused the war. It was a noticeable fact that the more isolated Calhoun became, the more clamorous the *ultras* grew in speaking of his influence and power. In July, 1845, Buchanan had written, "Calhoun is politically dead."

Calhoun thought he could assume with grace what was intended as a reproach. "He took pride," he said, in his speech on February 24, 1847, "as being the author of that great measure."

"Less than twelve months since, I had many competitors for that honor; the official organ here claimed, if my memory serves me, a large share for Mr. Polk and his administration, and not less than half a dozen competitors from other quarters claimed to be the real authors. But now, since the war has become unpopular, they all seem to agree that I, in reality, am the author of annexation. I will not put the honor aside. I may now rightfully and indisputably claim to be the author of that great measure,—a measure which has so much extended the domains of the Union; which added so largely to its productive powers; which promises so greatly to extend its commerce; which has stimulated its industry, and given security to our most exposed frontier.'

Calhoun continued in his usual able manner, but unfortunately made the whole question of annexation turn on the subject of slavery. In his letter to Pakenham, Calhoun only assumed, as Upshur had done, that annexation was not intended to give any new strength to slavery, but being of equal value to all sections of the Union, had been rendered additionally advisable by the avowed design of Great Britain to aid the abolition societies in at-

tacking the peace of the Southern States. Much that was happening at the time had impressed Upshur with the belief that a regular conspiracy was on foot to start a civil war on the South. In a letter to Tucker, he pointed to the affiliated societies of abolitionists in England and the United States, their published doctrines of death to the Union, the concurring action of Massachusetts, and the threats so frequent that the annexation of Texas must sound the knell of the Union. In justice to Upshur it must be said that his views as to the propriety of annexation had been long fixed before these apprehensions were awakened. Calhoun took a step a long way in advance of Upshur; and now he maintained that annexation was merely to maintain an impossible balance of power between the South and the North. How ridiculous the thought of such a thing, with numberless Territories in the North preparing to enter the Union, was well understood by the immense majority of Southern men. They wanted no perpetuation of slavery, but they did want security while it lasted; and above all, they were prepared to dare any extremity than to yield the *point of honor* in what was conceived to be their just rights under the Constitution, which were infinitely above all considerations of interest. Texas could never have been annexed if it had not been fervently believed in the South, that as emancipation, in the language of Madison, without deportation, was "inadmissible," Texas would be the outlet of the negro, first from the border States, and then from the cotton States themselves, into Mexico, whose society of mixed races had no invincible repugnance to their presence as citizens. Such, indeed, was the favorite argument of the stump speakers, and whether tenable or not, showed a disposition just the reverse of the perpetuation of slavery.

Not content with the claim to the exclusive authorship of annexation, and with loading it with the odium of slavery, Calhoun usurped the position of President Tyler, and carried his "cast-iron" egotism to the extent of selecting between the alternative resolutions.¹ He

¹ Harriet Martineau's description of Calhoun is well worth noticing. She calls him a "cast-iron man," and says: "I know of no man who lives in such utter intellectual solitude. He meets men and harangues them by the fire-side as in the Senate. He is wrought like a piece of machinery, set going vehemently by a weight, and stops while you answer. He either passes by what you say, or twists it into suitability with what is in his own head, and begins to lecture again."—*Harriet Martineau's Western Travel*, p. 148, cited in *Sumner's Andrew Jackson*.

said he had hesitated to accept the office of Secretary of State because the administration was "weak" in the number of its supporters, but he had all the same effected his object.

But the Senator (Benton) objects that I so conducted the question of annexation as necessarily to lead to the war. On what does he rest this charge? He rests it on the ground that I selected the resolution as it came from the House of Representatives, as the basis of the annexation, instead of giving the Texan government the choice between the House resolution and the amendment of the Senate originally moved by the Senator himself. He complained bitterly that the Senate resolution, passed at the very heel of the session under the expectation that it would be carried into effect by the present administration, then just coming into power, and not by Mr. Tyler's administration, then about to expire, had not been adopted.

He seemed to think that the then administration had no right to act upon it, and that, undertaking to do so, was depriving its successor of some of its rights. He accused me of acting with the greatest promptness. The fact is so. The resolutions, if I recollect rightly, were signed by the late President about the first of March. I saw the importance of acting promptly, and advised the President to act without delay—that he had the constitutional right of doing so, and that I deemed it necessary that he should act in order effectually to secure the success of a measure which had originated with his administration. His cabinet was summoned the next day, and concurred in the opinion. That night I prepared the dispatch for Mr. Donelson, our chargé in Texas, and the next day, late in the evening of the third of March, it was forwarded to him. It was my last official act of any importance as Secretary of State.

I selected the resolution of the House in preference to the amendment of which the Senator from Missouri was the author, because I clearly saw, not only that it was every way preferable, but the only certain mode by which annexation could be affected. My reasons for thinking so were fully set forth in my dispatch, which may be found among the public documents accompanying the first annual message of the present executive. They will speak for themselves; they never have been controverted, and never can be successfully. Indeed, I never considered the Senator's amendment as expressing the deliberate sense either of the Senate or House of Representatives. It is well known that he and a few of his friends had the power of greatly embarrassing the passage of the resolutions of the House, if not of defeating them; and that his amendment was moved, not so much as an improvement of the resolutions, as to gratify him and them. That the course I adopted did secure the annexation, and that it was indispensable for that purpose, I have high authority in my possession—that which all would admit to be the highest, if I could with propriety introduce it; and for this prompt and decided act, if for nothing else, I might claim the authorship of annexation.

The entire speech of Calhoun, from which the above is an extract, though in many respects an able defense of annexation, was

objectionable, not only on account of its intense egotism, but for the unfortunate ground on which it placed annexation. It is due to history and to truth to give the following comments of Mr. Tyler:

[TO ALEXANDER GARDINER.]

SHERWOOD FOREST, *March 11, 1847.*

MY DEAR SIR: Your letter received last night brought us the painful intelligence of your confinement by indisposition. I hope that before this reaches you every vestige of its remains will have passed away, and that "Richard will be himself again." I cannot but persuade myself that if you would visit us annually on the recurrence of spring you would be exempt from those attacks which at this season annoy you.

I have maturely considered what you say upon the subject of preparing a memoir of my administration. This I have long contemplated, but the task of building up and reclaiming an estate which had been permitted well nigh to run to waste, has heretofore engrossed most of my attention. I shall not much longer postpone a task which, if its execution be of no value to the great crowd, will nevertheless be acceptable to those who may come after me. The late exhibition of profligacy on the one part and selfishness on the other made in the Senate is susceptible of a severe rebuke, and I ponder deeply with myself whether it be not due to those who are mingled with the dead as well as to the living members of my last Cabinet that I should make a public exposé of all the facts connected with Texas annexation. At all events this part of the proposed memoir shall be finished. Was there ever anything to surpass in selfishness the assumption of Mr. Calhoun? He assumes everything to himself,—overlooks his associates in the cabinet, and takes the reins of the government into his own hands. "I selected between the alternative resolutions." Now, how ridiculous. *If he selected*, then Texas is not legitimately a State of the Union, for Congress gave the power to *the President* to select, and not to *the Secretary of State*. Of such stuff is his egotism composed: If he had vaunted good and sound advice as given me which led to my selection, it might be borne with; but he does not condescend to advise,—that would be too small game. He is the great "I am," and myself and cabinet have no voice in the matter. Rely upon it, no man can win laurels by pursuing such a course.

As to Benton, he is absolutely distraught. The man is the most raving political maniac I ever knew.

But a truce to these reflections. Let me turn to a theme much more congenial to my feelings and nature. Julia is quite well, with a smile ever on her brow, and the boy—why, he is the noblest fellow in creation. Tell the Colonel he would not know the little pig whose cries so startled him in East Hampton.

With best love to all.

Yours truly,

JOHN TYLER.

[TO ROBERT TYLER.]

SHERWOOD FOREST, *March 11, 1847.*

MY SON: . . . Julia and myself paid Mr. Waller and Lizzy a visit of a week, taking the occasion of my going to William and Mary as a visitor. We left them well.

Calhoun has confirmed his character for extreme selfishness by his speech on the war. Benton sought through C.'s unpopularity to re-establish himself on the ground he had lost in the election of 1844, by ascribing everything to Calhoun, and the latter was weak enough to swallow the bait. I am strongly tempted to give a full history of the whole affair. He represents the executive power as in abeyance, when in fact it was most active, and then to cause the whole question to turn on the question of slavery. It is too bad!

Let me hear from you on this subject. Yours truly, JOHN TYLER.

[ALEXANDER GARDINER TO MRS. JOHN TYLER.]

NEW YORK, *March 11, 1847.*

MY DEAR SISTER: I received your letter yesterday and the President's the day before. I have already written my views about Mr. Calhoun's speech on the annexation of Texas. It appears to me that, failing in his ambition to reach the presidency, he manifests in all his recent speeches an evident intention to build up a reputation connected with the executive branch of the government, by appropriating to himself such portions as he deems fit of the merit of the transactions of the various administrations, under which he has acted in the several departments in which he has served. Hence he frequently refers to the executive in the plural number, and often dilates upon the private discussions of the cabinet, and the part borne in them by himself and others. The distributive share which Mr. C. appropriates to himself under this sort of extension and perversion of the State-rights doctrine as applied to the President and his ministers, does not seem to be much restrained by modesty or a regard for the *whole truth*.

I do not see why the President might not write to him on the subject of his speech, and the construction which his friends put upon it, or in correspondence with some other member of his former cabinet set the matter on a just footing before the public. However, the speech may not strike others as it does me, and I hope that the President, after an examination of it, will follow his own judgment, which is so generally correct. As Mr. C. assigns as those which were controlling reasons for the annexation of Texas, which, if they existed, are not prominently urged in the President's State papers, he doubtless assumes to set forth the secret history of the affair. Now I supposed that those papers set forth honestly and candidly the true motives which prompted the executive; and that those motives were considerations of great public advantage, embracing the whole country and all its interests. And, indeed, I knew, at the time the subject was finally acted upon, that the President could not reconcile himself to the narrow and local views which confined the mind of Mr. Calhoun; and in conversation at that period he constantly dwelt upon the subject as of pervading national importance. I certainly did not suppose that the annexation of Texas was so eagerly sought

out of regard, wholly or chiefly, for the doings of such a body as the World's Convention, or the maintenance of the balance of slaveholding and non-slaveholding States. I speak lightly of the World's Convention, because, although it *might* have been deeply designed as the forerunner of governmental action on the part of Great Britain and France, I have seen nothing but ominous hints and dark allusions—nothing in reason or established fact which would induce me to take it out of the long catalogue of conventions that have afforded occasion for various kinds of innocent philanthropic display. I do not forget that it was aimed at an institution almost peculiar to this country, and that distinguished politicians were associated with its proceedings.

In like manner, lost in the elaboration of a favorite idea, Mr. Calhoun's great analytical genius seems to lose sight of the more powerful and comprehensive objections which might be urged against the Wilmot proviso. He takes a stilt-like position,—very high, but very narrow and artificial. I can conceive of many reasons of public policy which would dictate the rejection of that proviso now and of the principle of it hereafter; but I cannot conceive how the adoption of it would, to the extent claimed, interfere with a participation on the part of the South in the advantages of the proposed acquisition of territory.

So Benton declines the Major-Generalship, after treating Polk like a puling child, utterly unable to conduct the government or extricate himself from the war without his assistance. The recall of Scott, Taylor and others would have been an outrage, which could not have been perpetrated with impunity. . .

ALEXANDER GARDINER.

Calhoun's course, in giving a false coloring to annexation, called for something more than private notice. Mr. Tyler started a letter to the *Enquirer* doing full justice to Upshur, Gilmer, General Jackson and others connected with annexation; but after writing the article he seems to have altered his intention from a direct rebuke to an indirect one, in order to avoid what might appear an unseemly collision with his own Secretary of State. As his MS., as first prepared, contains the substance of what soon succeeds in his letters to the *Enquirer*, I shall insert the following extract only:

I was actuated by no mere sectional consideration whether slavery was to be extended over the territory of Texas or not. This problem was soluble in my view by reference to climate, the true exponent of that question, and the terms of the Missouri compromise, which in itself is but a recognition of the law of climate, and should be regarded by Congress, considering the circumstances under which that compromise was adopted as equal in obligation to the fundamental law. No; so far as my agency in the matter extended, I looked to the interests of the whole Union. The acquisition of Texas gave to the United States a monopoly of the cotton plant, and thus secured to us a power of boundless extent in the affairs of the world. It opened at the same

time to the inhabitants of our whole country sources of immense wealth, which a few years only will develop. When the Gulf of Mexico shall be whitened by the sails of innumerable ships and vessels engaged in the coast-wise and foreign trade, bearing to Texas the products of the skill and industry of all the other sections of the Union, to be exchanged for the valuable products of her fertile soil, there will be but one sentiment throughout the land on this important subject, and this will be that Texas annexation *was a national and not a local, an American and not a Southern question.*

An opportunity to reply to Calhoun in the way desired soon presented itself. The *National Intelligencer*, in May, 1847, contained an article under the head, "The Administration and its Organ" connecting President Tyler with the speculators in Texan stocks and lands. In reply to this Mr. Tyler wrote a letter disclaiming any and every connection with speculators, declaring that he had seen nothing but the good of the WHOLE country in the measure, making no allusion to Calhoun by name, retorting severely upon Benton the charge of *weakness*—a pretty evident fact since 1844, when he lost his hold on the Democratic party—and mowing down the numerous now-forgotten ephemerites, who had assailed him in the Whig and *loco-foco* papers with the comforting assurance that "impartial future history" would know nothing of their names:

To the Editors of the Richmond Enquirer:

I have been so constantly and unceasingly the object of violent attack during and since the period that, by an act of Allwise Providence, and through no volition of my own, the powers and duties of the executive were devolved upon me, as to become indifferent as to what should be said of me by others. Hence I have remained silent amid the attacks of the public press, the fulminations of congressional orators, and the bright scintillations of wit which festive occasions have brought forth at my expense. Secure in the possession of my own integrity, I have for the most part smiled at the ascriptions of bad motives for my conduct, which had no purer source of emanation than in the bad motives of those who originated them. Nay, further, when I review the course of my administration, and see its efforts for the public good crowned with complete success in the accomplishment of every important measure, save one, which was suggested or proposed; when I compare the actual condition of the country on the 4th of April, 1841, with what it was on the 4th of March, 1845, and when I know that, after the struggles of the present day shall have passed away, and those who have taken part in them shall have sunk into their graves, the greater part not even to be remembered, impartial history will not fail to write a faithful account of my actions, I may well be content to let the brawling demagogue and the sly intriguer indulge in any measure of abuse of me they may please.

The facts of my public life are matters of record, and can neither be expunged nor altered. The impartial future will see the motive in the act, and the just historian will look to the good or evil only which will have been developed, and find in the one or the other cause of censure or of praise. To this ordeal I submit myself without fear. My only solicitude is, that conjectures or suppositions, and mere naked statements, unsustained and unsustainable, should be regarded as authentic merely because the source from which they flow is esteemed respectable. It is to guard against this in reference to one of the most prominent acts of my administration that I now address you, and through you the public.

In the *National Intelligencer* of the 25th of May, a paper which deservedly ranks amongst the most respectable journals of the day, and which, along with others of the same high class, will hereafter be regarded as one of the lights of history, the following sentence has arrested my attention. Under the head of an article, "The Administration and its Organ," it holds the following language:

"Its editor (speaking of the editor of the *Union*) had not been a week installed in his present official station before he began to foretell the existence of war with Mexico, the curse of which, by his influential agency in the Texas annexation scheme, he has had more to do in inflicting upon the country than any other person whatever, *not excepting President Tyler himself, or the speculators in Texas stock and lands by whom he was surrounded, counseled and impelled to this unwise measure.*"

Now, I do not mean to object to the ascription of great influence to Mr. Ritchie, then senior editor of the *Richmond Enquirer*, in aiding to carry out the cause of Texas annexation. Far from it. The course of that able and talented editor has been sensibly felt on all questions of public policy for more than a quarter of a century; and I do cheerfully confess that when the *Enquirer* espoused the Texas cause, I felt increased assurance of the ultimate consummation of that great measure. Nor do I mean to enter into any contest whether the annexation of Texas was either the immediate or remote cause of the existing Mexican war. The editors of the *Intelligencer*, and their able ally in the anti-annexation cause, the Hon. Thomas H. Benton, may have this either way they please. I will not even stop to enquire whether, if the treaty had been ratified by the Senate, we should have had war or not, but, taking into consideration that at that moment there existed no prospect of any immediate collision with Great Britain on the Oregon question, and so far from it, that a stronger feeling of amity had been produced between the two countries by the then recent negotiation of the Ashburton treaty, it may well be doubted whether Mexico, without the hope of succor or aid from any quarter, would have waged war upon the United States for a matter in which she had no right or interest, both having been conquered from her at San Jacinto, and the conquest recognised by the whole world. When she struck her first blow at Gen. Taylor, our relations with Great Britain had undergone a material change, and stood, as the world believed, in a most critical condition. Equally far am I from canvassing, at this time of day, the wisdom, or its opposite, of Texas annexation. Unwise the editors and others have from

the first declared it to be. The large majority of the people of the United States have differed with them in opinion, and the popular judgment having been formally entered up in favor of the measure, the minority should certainly be permitted to enter their complaints when they please and as they please. But what I do complain of is, that the editor should have placed me in the company and under the influence of those of whose individuality I have not the slightest knowledge: "the speculators in Texas stock and lands by whom he was surrounded, counseled and impelled to that unwise measure." Now the editors have over me decided advantage. If any speculators in Texas stocks or lands have counseled, much less impelled me to action upon that subject, I declare myself to be wholly ignorant of the fact. Certain it is, that I never owned a foot of Texas land or a dollar of Texas stock in my life, nor do I understand the editors of the *Intelligencer* as intending to intimate such a thing. The plain truth is, that I saw nothing but the country, and the whole country; not this or that section, this or that local interest, but the WHOLE—the good, the strength, the glory of the whole country in the measure.

Nor was it until I received *authentic* information that other nations were exerting all their efforts to induce a course of action on the part of Texas, at war, as I firmly believed, with the permanent interests of the United States, that I gave directions to my lamented friend, Abel P. Upshur, then Secretary of State, to break up and scatter to the winds the web of their intrigues by a direct proposition for annexation. I advised with no one, consulted with no one save him, in taking the initiative. I knew "no holders of stock or owners of lands in the matter," and I aver that the public considerations, which I have before referred to, alone impelled me to direct the negotiation. Nay, I may go even farther and declare that, before the initiative was taken, and when the preliminaries were nearly all arranged, their completion being alone prevented by the death of Mr. Upshur, and the appointment of an adjunct commissioner to Mr. Van Zandt by Texas, I have no reason to believe that "the holders of stock or owners of lands" knew anything of what was going on, since secrecy was enjoined as indispensably necessary to avoid awakening into action, what we had reason to expect, a more subtle and still more active intrigue on the part of other governments, in order to countervail us. So much I have felt myself constrained to say, with a view to a true history of the measure in its origin; and I trust that what I have said will be sufficient to relieve the minds of the respectable editors of the *Intelligencer* of the impressions under which they have seemed to labor, and to which they have given utterance.

As to the thousand and one newspaper paragraphs which would fain persuade the country that I was in leading-strings during my term of service, first under the influence of this man and then of that man, I care but little; and quite as indifferent am I to the declaration with which sometimes even the Senate chamber has been favored, that my administration was *weak*. Weak I readily admit it to have been in the number of partisans on the floor of Congress, but it was strong enough to carry its measures, and to illustrate most thoroughly the fact, that to keep the three departments of the govern-

ment separate and distinct, no executive influence in Congress, no congressional powers in the executive, and the supreme court perfectly independent of both, is not only wise in theory, but sound also in practice. Measures are then alone considered, and the executive may justly be regarded as *strongest* which, without partisans, was enabled to carry through nearly all its measures, and even now subjects some of its opponents to the necessity of making speeches in public places in order to explain away the repugnance felt by the country to their opposition to those of most importance. I am, gentlemen, with great respect, yours; etc.,

J. TYLER.

A few days after, Mr. Tyler wrote to Alexander Gardiner in explanation of this letter:

[TO ALEXANDER GARDINER.]

SHERWOOD FOREST, *June 17, 1847.*

MY DEAR SIR: You will doubtless have seen my letter to the editors of the *Enquirer* on Texas annexation, and will readily have comprehended its whole design and object. The first and leading design was to put the *Intelligencer* right, which, after all, is the most gentlemanly paper in the Union. My friend, Calhoun, had failed to defend me in the Senate on various points of attack made by Benton, and, after taking to himself the authorship of Texas annexation, had narrowed down the question to the comparatively contemptible ground of Southern and local interest. This last move chafed me more than the first, for it substantially converted the executive into a mere Southern agency in place of being what it truly was—the representative of American interests, whether those interests were North, South, East or West; and if ever there was an American question, the Texas was that very question.¹ A suitable opportunity, which did not bring me in collision with Mr. C., was afforded, and I thought it proper to seize upon it. So, too, it gave me fair occasion to retort upon Col. Benton the charge of weakness with which he continually assails me, and in which Mr. Calhoun was weak enough to concur last winter.

The Richmond *Whig* has furnished the leading commentary of the Whig press on the letter, but has already retracted substantially all that it said by admitting that Gilmer and Upshur were incapable of giving me advice founded on their mere personal interests. Even this, however, will not excuse the editors for their blunder in introducing Gov. Gilmer's name. He was not a member of my cabinet until the 15th February, 1844, and died on the 28th, and the initiative had been taken before he took his seat in the Navy office.

Mr. Botts, too, discovered a mare's nest on the 18th March through a large

¹ According to Prof. E. W. Gilliam, in *Popular Science Monthly*, February number, 1883, the increase of slaves in the United States in ten years, from 1830 to 1840, was 23 per cent.; from 1840 to 1850, but 22 per cent.,—and this though Texas had been added. By the census, the increase from 1820 to 1840 was 61.7 per cent.; from 1840 to 1860, only 58.9 per cent.

stockholder. Why, before that Mr. Webster had announced the existence of the negotiation, and so had the *Intelligencer*, and the great stockholder and Mr. Botts did not awake to a knowledge of it until the 18th. Calhoun had been appointed Secretary of State on the 6th March, and Texas had appointed a new commissioner to negotiate a treaty, who was now on his way to the city of Washington. We had no longer a wish to keep it secret; and even if we had, it would have been impossible to do so after the Texas action upon it. Early in April the treaty was signed by the negotiators.

I have thought it well to possess you of these facts, so that you might use them in conversation if necessary, or even cause their introduction into some newspaper in your city if you think it worth while. The *Enquirer* makes the correction as to Gilmer, and it might be enough to have that article copied.

I have entered to-day partially on my harvest. The yield in *straw* will not equal an average, but I still hope a liberal return of grain.

With true regard to all the family, I am,

Faithfully yours,

JOHN TYLER.

The rebuke to Mr. Calhoun was cleverly and effectively delivered. The marked silence observed as to him was severe indeed after the inordinate vanity displayed by Mr. Calhoun. Instead of evoking a reply, therefore, from Mr. Calhoun, it became, unexpectedly to Mr. Tyler, the occasion of a flaming letter from Sam Houston, then senator of the United States, who regarded the blow as aimed at him. In a long public communication, the ex-President of Texas attempted to reconcile his course as president with zeal in behalf of the annexation of Texas. After several disparaging remarks concerning Mr. Tyler, lo and behold! Houston wound up by giving the whole credit of the measure, *not to Calhoun*, but to his patron, Andrew Jackson.

All this was truly amusing. When it is recollected that Calhoun himself had been a prominent item, leading to the rejection of the treaty in 1844, and had afterwards advised the postponement of the question until Polk's administration; and Houston had advised the diplomatic act which would have beheaded annexation, the impartial reader will admit that Mr. Tyler, who on the Texas question pursued the same steady consistent policy as on every other subject of his life, was, as between the three, much the less *weak*, as he was infinitely more gentlemanly in his conduct. Mr. Tyler replied to Houston in a letter, in which he very happily played upon Houston's use of the term "coquetry," in his speech at New Orleans in May, 1844, to describe his negotiation with England:

[TO THE EDITORS OF THE "ENQUIRER."]

NEW YORK, *September 1, 1847.*

The very brief letter under my signature, which was evoked by a paragraph in the *National Intelligencer*, and kindly given a place in the columns of your paper some two months ago, has, to my no little astonishment, called forth a public letter from the pen of Senator Houston of Texas, on matters not put in issue by that article, which, because of the great respectability of the paper in which it appeared, I deemed it proper to notice. Nothing certainly was further from my intention than to have involved the ex-President, now the senator from Texas, in the necessity of any exposition upon the subject. Whatever doubt existed as to his real desire for the annexation of Texas to the United States had by a previous publication, either in the form of a speech or letter, I forget which, nor is it material to remember, been sufficiently cleared up by the declaration that *he only coquetted with England* in all he had done, with a view, as we are now told, to produce an impression with the over credulous people of the United States, as well as those entrusted with the administration of their public affairs, that the "golden moment" for annexation had arrived, and, if permitted to pass, could never be recalled.

Aided by the *silence of the Texas press*, and for aught I know, by other and still more imposing means, Mr. Houston certainly succeeded in impressing Gen. Jackson, to whom, in the exuberance of his devotion, he ascribes the whole honor of the measure, with the belief that the *coquette* would, unless prevented by prompt action, very soon fall into the arms of another, and thus be forever lost to the United States. That time-honored patriot has descended to the grave under the full conviction, that what he avouched to the American people was true in every word and in every letter. He was incapable of giving utterance to what he felt to be untrue, and I may safely add that he looked too deeply into the deeds of men, and understood too thoroughly their motives, to be easily deceived. He saw as readily as others the great stake at issue in the question of annexation—a stake which the leading States of Europe would be quite as eager to gain as the United States; and he possessed as full a knowledge of the necessity which would compel Texas to resort to expedients to rescue herself from the unhappy condition in which Mr. Houston describes her to have been in 1841, as the president of Texas himself.

Those expedients are now for the first time promulged to the world by Mr. Houston, as having been deliberately weighed, considered and adopted by himself. The first was to obtain annexation with the United States; that failing, the second was to obtain from Mexico the recognition of the independence of Texas; and failing in both these, the third was to form a defensive alliance with some foreign power against Mexico. In order to accomplish the last two of these objects, the President of Texas had spread out before him as broad a field for diplomacy as could well have been desired. His first expedient, annexation to the United States, was very soon exhausted, since Mr. Reilly, who had been instructed to propose annexation at an early day of my administration, so utterly failed, as not only to withdraw the proposition, but to accompany the withdrawal with the declaration that Texas would never

renew it.¹ After Mr. Reilly's failure, the question naturally arose, what course did the President of Texas then pursue? Did he fold his arms in apathy, or did he press on to the accomplishment of his second and third expedients? Did he seek to interest other governments in the affairs of Texas, so far as to induce their interposition with Mexico, in order to obtain an acknowledgment of independence? and was it, or not, through their interposition that a *quasi* armistice was at length obtained?—an armistice which, however, opened the door to an acknowledgment of Texan independence by Mexico no wider than it had before stood. After the failure of his first expedient, did Mr. Houston stand with his arms folded and fall into an apoplectic slumber? It was not until his presidential term had run the greater part of its course that the United States executive, startled by intelligence received from London, and confirmed by the representative from Texas at that court, deemed it necessary to institute enquiries, through its accredited organs, for the purpose of ascertaining the true condition of things. Those enquiries developed the active efforts made by associated individuals to ensure the fulfilment of their intrigues, and the extent of the countenance which had been bestowed upon them by the ministry of Great Britain, which was more publicly and openly avowed on the floor of the British parliament in a debate in which Lord Brougham, whose sentiments were fully re-echoed by the British minister, bore a conspicuous part. In that debate the Texan was declared to be *the all important question*, and this, not so much on its own account in the abstract, as in its bearing and effect on the condition of the United States.

There was no longer any room to doubt but that the eyes of foreign powers, as well as of associated companies, were strained in that direction; and I repeat in this place what I said in my former letter, that I resolved upon the proposition for annexation as the readiest, if not the only mode, "to scatter the web of their intrigues," either actual or contemplated. Notwithstanding, however, the authentic information received by the United States executive, all of which has been heretofore in official documents communicated to the public, and notwithstanding the great interest with which Texas was regarded by the distinguished statesmen of England, Mr. Houston, who is not content to speak for himself alone, but also for the whole world, would fain induce the country to believe that the British ministry folded their arms in inaction, and that the Abolition Society of Great Britain reposed in undisturbed slumber. He seems also most strangely to forget that the city of Mexico was as important a place for concocting and carrying on intrigues as the city of Austin itself.

In taking the initiative, I was not in the least controlled by the feelings of the Texan executive, nor did any thing which had proceeded from it stimulate me to action. Texas was surrounded by well known embarrassments, exhausted by a long war, her industry paralyzed, and her resources almost annihilated, and as she had been repeatedly repelled in her advances to the government of the United States, it was naturally concluded that she would look elsewhere for succor and for aid. The executive of Texas had tried an-

¹ Mr. Tyler doubtless meant Mr. Van Zandt instead of Reilly.

nexation, and failed; it had obtained no recognition of independence by Mexico. What other expedient remained but to make the best terms it could with either France or England, or both, which, giving it breathing time, would enable it to repair the energies of the country and recover it from the state of deep depression in which it was placed? The American minister (Mr. Murphy) was therefore directed to urge annexation on the executive of Texas. This was accordingly done, and Mr. Houston in his letter sets forth the terms which, as a condition precedent, he thought it proper to exact from an overzealous but devoted friend to the measure. I must be permitted to say, that it would have better concluded Mr. Houston's account of the matter, if he had seen cause to have informed the public, that the terms thus exacted were promptly disavowed by the executive, it being firmly fixed in its devotion to the Constitution of the United States, and that Constitution nowhere conferring the power on the president to transfer his authority over the army or navy, or any portion of either, to a foreign potentate, or to enter into any alliance, defensive or otherwise, without the previous sanction of the Senate. This was as well known to Mr. Houston as to myself. He had filled important stations in the United States prior to his emigration to Texas, and was believed to be well acquainted with the limitations and restrictions imposed by the Constitution on all its functionaries. Mr. Houston will pardon me for frankly saying that this arrangement, thus made with Mr. Murphy, did at the time excite a suspicion on my part that he wanted but a plausible pretext to defeat annexation altogether. He will find in that act, independently of their own personal merits, the secret motive for the appointment of General Howard, who had belonged to Mr. Houston's military family when governor of Tennessee, in place of Mr. Murphy, and after the death of General Howard, of Major Donelson, from the household of General Jackson, who was regarded as the idol of Mr. Houston's political worship. Both these gentlemen were well worthy of their appointments, and acquitted themselves of their high duties with ability and zeal; but yet, could I have been satisfied at the time that the President of Texas was playing the coquette, and merely indulging in a course of innocent flirtation, in order to awaken the jealousies of the people of the United States, it is quite probable I should have selected for the mission others who stood more closely allied to my administration. The flirtation with Mr. Murphy was very soon quieted, by a disavowal of what he had inconsiderately, but from the best of motives, been lead to do; but when the coquetry with England was afterwards actually carried, through the active agency of the British minister, into an acknowledgment by Mexico of the independence of Texas, upon the sole condition that she would renounce annexation to the United States, it was near becoming as serious as any love affair in the calendar. What if the United States had presented at the time no definite proposition for annexation, is any one prepared to say that the Mexican proposition would not have been accepted? Will any one venture to say that General Jackson was so far deceived, or the American people so far misled by their jealousy, as to have been mistaken in supposing that the "golden moment" had in fact arrived? Or can it be said that I was very far mistaken in the declaration that the proposition for annexation scattered to the

winds all the webs of intrigue wherever woven? Alas for annexation, if the American executive had been driven to the alternative of presenting a new basis of negotiation in place of definite terms!

In declaring the opinion that the death of Mr. Upshur, and the appointment of an adjunct commissioner to Mr. Van Zandt, alone prevented the completion of a treaty at an earlier day, I neither designed to utter complaint against an All-wise Providence for removing from my side my friend and able counsellor, nor against the executive of Texas for appointing an adjunct commissioner. It was a solemn occasion, that of merging the absolute sovereignty of one State into that of others, and Texas could not well have used too much caution in its performance. Certain it is that no adjunct could have been more acceptable to the United States than Governor Henderson. I did but urge that view to show that so secret had been, and so expeditious would have been, the course of the United States executive on the subject, that the treaty, but for the two circumstances alluded to, would have been consummated before the speculators in Texan stock, or holders of Texas lands, would ever have heard of it. I think the remark admits in fairness no other construction.

As to the ascription made by Mr. Houston to General Jackson of the success of the measure, I have nothing more than this to say, that I took the initiative without any previous consultation with that distinguished man. He gave to the action of the executive his zealous and cordial support, and I would be the last to deny him the full measure of honor which his patriotic advocacy implied. His name was undoubtedly a tower of strength to any cause he espoused; but there were other auxiliaries who deserve to be noticed in connection with the matter. I omit the names of Mr. Upshur, Mr. Nelson and Mr. Calhoun, who successively filled the chair of the State department, and after them of my entire cabinet. They were a part of my own identity, and that each was worthy of my confidence, and that of the country, is sufficiently demonstrated by the fruits of their labors. I choose to mention others, not members of my political family, among the most prominent of whom was Mr. Walker, the present Secretary of the Treasury, whose writings unveiled the true merits of the question, and, aided by the expositions of many editors of the newspaper press, brought the public mind to a just and sound decision.

I was myself sustained and encouraged by the opinions of other distinguished citizens, among whom I take pleasure in mentioning the name of one who once would have commanded the respect, if not the confidence, of thousands, but who at the time rested under a cloud, and spoke to me from the shades of Andalusia—I mean the late Nicholas Biddle, with whom I differed so widely on the subject of the Bank of the United States. His bright and accomplished mind did not fail to embrace in its full extent the value of the virtual monopoly of the cotton plant, secured to the United States by the acquisition of Texas—a monopoly more potential in the affairs of the world than millions of armed men.

I have only to say, in conclusion, that I shall content myself in all else that relates to the annexation of Texas, by referring to the public and official documents already spread before the country.

JOHN TYLER.

Mr. Tyler withdrew from the field after replying to Houston. But this was by no means an end of the correspondence. Anson Jones followed Houston in two elaborate replies to Mr. Tyler,¹ giving in detail his connection with the subject of annexation. Then Mr. Reilly said something; and finally Mr. John C. Spencer, late Secretary of War, and who had gone over to Van Buren, came out in a letter explaining his position.

The Tappan and Blair letters followed these disclosures, and in the month of December of the year (1848) in which they appeared was published the *exposé* of Anson Jones as to Sam Houston and his celebrated "diplomatic act."² This set Houston's courtship in a very bad light indeed; nor was it very kind or proper in Jones thus to betray his principal. Alas! *his* Secretary of State, Ashbel Smith, did a like part by him.

Calhoun had made a parade in his speech of the advice which he had given the President to act immediately on the House resolution. Mr. Tyler was as anxious to act as Calhoun was, but there was a responsibility upon his shoulders as president which did not rest on Calhoun's, and it was right and proper that he should consult his cabinet, and ascertain their concurrence with him in the delicate matter of respect to Mr. Polk. Mr. Calhoun, in his speech, seemed to intimate that Mr. Tyler hesitated between the alternative resolutions. This Mr. Tyler determined to set right. He prepared a statement of his last hours (see page 364), which he sent to the members of his cabinet. It was approved by each and all of them. In this statement it appeared that the President consulted with Calhoun and the cabinet upon the single point of delicacy to Mr. Polk, and they unanimously concurred with him as to the necessity of present action. The President had then suggested a courteous visit of Mr. Calhoun to the president-elect, with instructions to explain to Mr. Polk the motives and reasons of his action. It was on this rather untenable basis that Mr. Calhoun tried to build his authorship of annexation.

On the other hand, the Van Burenites were outraged that the President had acted at all. They spoke much of his forestalling Mr. Polk in selecting between the resolutions. Between Scylla on the one hand, and Charybdis on the other—not acting at all,

¹ Letters of Anson Jones, *Niles*, lxxiii., pp. 280 and 308.

² *Niles*, lxxiv. p. 314.

and treating Mr. Polk with indelicacy—Mr. Tyler proceeded with his usual sagacity. He united action with a politeness and civility to Mr. Polk that entitle him to the highest recognition.

On December 25th, 1848, Mr. Tyler wrote to Mr. Gardiner :

Have you noted the exposé of Anson Jones as to Sam Houston on the subject of annexation? His billing and cooing with England was properly described by me as a serious love affair. I have heard from Calhoun, Bibb, and Nelson on the subject of my statement of my last hours, and they concur. From Mason, Wilkins, and Wickliffe I have still to hear.¹

The tender strains of truth are too often drowned in the discord created by the gong of the brawling demagogue or the fierce scratchings of the penny-a-liner; but Governor Gilmer raised a hymn to the worth of Mr. Tyler whose symphony will last, when, in the midst of the fierce contest of the Bank, he wrote of the public men of his day, that "Tyler was the most honest man among them."²

¹ These were afterwards favorably heard from. Mrs. Tyler wrote some time before :

"I have forgotten to say we had a letter from Mr. Webster the other evening, in which he says Mrs. W. and himself had proposed to themselves the pleasure of visiting us on their Southern tour they are about commencing; but they have commenced it so late, they will have to haste their progress in order to avoid the extreme heat in the South, and propose us a visit in the fall. The President also had a friendly letter from Mr. Calhoun. Are you not interested in, and do you never think of the war? It is full of thrilling interest, in my opinion, but you do not seem even to think of it. What a glorious country is America? Who can recount such deeds of courage and valor as our countrymen? My opinion of them has never been half justice. I think that almost all are manly spirits. All nearly are capable of being heroes, and a coward constitutes the exception.

² See Appendix for Gilmer's letter, dated August 7, 1841.

CHAPTER XV.

1845—1848.

"Should we be found at war, then every man should do his duty, and God forbid that son of mine should be recusant."—JOHN TYLER (1846.)

THE ANNEXATION OF TEXAS NOT THE CAUSE OF THE MEXICAN WAR.—MR. TYLER'S POLICY.—HISTORY OF THE OREGON QUESTION.—MR. TYLER'S ACTION.—HIS INSTRUCTIONS TO UPSHUR.—DEJECTION OF CALHOUN.—HE TAKES UP THE NEGOTIATION UNDER THE PRESIDENT'S DIRECTIONS.—REJECTS THE PROPOSITION TO REFER THE QUESTION TO ARBITRATORS.—THE NEGOTIATIONS UNDER POLK.—"FIFTY-FOUR-FORTY, OR FIGHT!"—NEW OVERTURE BY ENGLAND.—ACCEPTED BY POLK.—CHARGES AGAINST MR. WEBSTER.—MR. TYLER'S EVIDENCE.—ELECTION OF TAYLOR AND FILLMORE.—CORRESPONDENCE.

MR. TYLER had been assured by Mr. Polk's friends of the consummation of all the unfinished measures of his administration. Yet Polk so allowed the fierce factions about him to get the upper hand of him, as not only to wage a savage war upon the friends of the man to whom he was entitled for the presidency, but made blunder after blunder relative to the great public measures which the administration of his predecessor had bequeathed to him. It excites little surprise, therefore, after the manner in which Polk had forced the government into a war with Mexico, to say nothing of his ill-advised policy with reference to other public matters—especially Oregon—that Mr. Tyler declined permission in 1848 to John Y. Mason, who represented him in the cabinet of Polk, to include in his response to Polk's request from him for a written communication refuting the malevolent charges of Tappan and Blair, a statement on Mr. Tyler's authority that "annexation had been concluded as it commenced, and was prosecuted fairly, honorably, and patriotically."

Not only had the annexation of Texas no necessary connection with a war with Mexico, but the weakness of Mexico pleaded strongly for peace. That government had indeed suspended diplomatic relations with us, but had proceeded to no positive act of hostility. Polk should, therefore, have avoided any collision with

her troops, and have promptly proposed to England and Mexico a tripartite treaty for the settlement of all questions of boundary. The Texas treaty in 1844 did not define the boundaries of Texas; and Mr. Tyler says, in his message of June 10, 1844, that the question "was *purposely* left open for negotiation with Mexico, as affording the best opportunity for the most friendly and pacific arrangements." What this meant was explained by the negotiations then pending concerning Oregon. It had long been a favorite idea with the President,—one never formally embodied,—to unite England and Mexico in a treaty, whereby the bounds of the Union might be extended to the Pacific ocean, along the Rio Grande, and the line of thirty-six degrees across the continent. This suggestion had received the emphatic approval of England in 1842, and the stiffer feeling since prevalent in this country for pushing northward the line of the Oregon would have increased the disposition on England's part, in view of her desire to secure the Columbia river as the southwest boundary of her possessions north, to compel Mexico to a satisfactory settlement. All this showed how unwise had been the change in the convention of 1787, of the presidential term from seven years to four. And Gallatin has said that, "had the government at this time remained in the hands with whom the plan originated, war might probably have been avoided." It was the boast of Mr. Tyler's friends, that had he remained in office six months longer, he would not only have quieted Mexico, but have settled, to the satisfaction of all, the Oregon boundary,—acquiring California, establishing the Rio Grande as the accepted line of Texas, obtaining all that was valuable of the western domain, and settling the slavery question by either making its southern line that of thirty-six degrees, or stretching below that boundary with the recognition of the line of the Missouri Compromise.

Various attempts had been made, under successive administrations, at the settlement of the northwestern boundary. In 1818, Monroe carried on negotiations, and made the offer of the the forty-ninth parallel, and the free navigation of the Columbia river, as a compromise between the British claim and extreme American claim. The British government rejected this proposal, and insisted on the line of forty-nine degrees due west, until it cut the north-easternmost branch of the Columbia, then down that

river to its mouth. To this proposition the United States would not agree. The negotiations finally resulted in a convention of 20th October of 1818, providing for the joint occupation of the disputed territory for ten years. Adams, who succeeded Monroe, renewed the negotiations, and made the same offer as his predecessor. The English, however, tenaciously adhered to the river boundary. To aid in attaining this, they improved on their last offer by conceding a section lying on and about the straits of Fuca, from Cape Flattery to Hood's Inlet. But no decision on boundaries could be reached, and the negotiations ended in extending the agreement of joint occupation indefinitely, terminable by either of the high contracting parties on notice of one year. After this time the subject slept, in Congress and out of it, until February 7, 1838, when Lewis F. Linn, of Missouri, introduced a bill in the Senate for the occupation and settlement of the territory, a proposition first made in 1820 by John Floyd, of Virginia. About this time, England had waked up to the necessity of settling the question. Lord Ashburton was furnished with detailed instructions on the subject when he came on his special mission, but the settlement was pretermitted in the Washington treaty of 1842. Sundry informal communications were had with the British minister, but Webster explained in the message accompanying the treaty, that owing to the little probability of an understanding on the subject just at that time, it had been thought advisable not to make it one of the subjects of formal negotiation to be entered upon between this government and the British minister.

From any point of view there were, of course, great difficulties in the way; but Mr. Tyler was in 1842 full of his special mission and the tripartite treaty for acquiring California and Texas, and he was firmly persuaded that the American interest in Oregon could lose nothing by delay. True, the English had speedily gone to work under the joint occupancy to extend their laws over their inhabitants in the territory, and the Hudson Bay company had set up their stations and monopolized the fur-trade of the country. But this availed them little. The British occupation, which was one of a fur-trading company, was not the proper sort. The policy of this company was in fact hostile to the interest of their own government. "It was," says Mr. Barrows, in his "History of Oregon," "to cultivate wildernesses and not civilization, trad-

ing huts and not settlements, half-breeds and not English families." Immigration from England would banish the beaver, and the company took no pains to encourage it. It was President Tyler's policy to make the Oregon question auxiliary to the Texas and California questions, and in the meantime, under an improved treaty of joint occupancy, to push settlers on to the distant land. In his message, at the beginning of the session of 1842-'3, he alluded to the "tide of population which had reclaimed what was so lately an unbroken wilderness in more contiguous regions, and which was now preparing to flow over those vast districts which stretch from the Rocky Mountains to the Pacific ocean." He furthermore added, that "in advance of the acquirement of individual rights to the lands in Oregon, sound policy dictated that every effort should be resorted to by the two governments to settle their conflicting claims."¹

These views received a fine amplification in the speech of Mr. Calhoun delivered in the Senate on January 24, 1843. Mr. Linn had introduced a bill on the 19th of December previous, which included the provision deprecated by the President for land grants. Calhoun showed that this provision was contrary to the treaty of 1818-1827; that England would regard it as an attempt on the part of United States to assert and maintain an exclusive right to the country in dispute; that war might result, in which the English would have the advantage from the ease with which they could concentrate troops in Oregon from China and their East India possessions; and this might be the cause of our losing all. On the other hand, *time* was acting all in our favor. Our population was rolling with resistless power towards the shores of the Pacific. In a period of thirty two years the Indian frontier had receded a thousand miles to the West. In illustration, Mr. Cal-

¹ What authority has Mr. James G. Blaine for asserting, in his "Twenty Years in Congress" (Vol. i., p. 49), that Webster suggested and probably wrote this passage. Webster says the reverse in his private letter to Everett, of November 25, 1842; or is it of a piece with the statement that Mr. Blaine makes also, that it is to be found in the message accompanying the treaty instead of the regular annual? He continues and speaks of the "younger blood" of Mr. Upshur, which pushed the American claim up to fifty-four degrees forty minutes, when Upshur's instructions did nothing of the kind. In another place Mr. Blaine speaks of the great impetus given to the Texas movements by Calhoun's appointment as Secretary of State, when the facts establish just the reverse.

houn stated, that "as wise and experienced a statesman" as President Monroe, as much as he had witnessed of the growth of the country in his time, in the year 1824 had proposed to colonize the Indians of New York in Wisconsin, under the impression that it was a portion of our territory so remote that they would not be disturbed by our increasing population for a long time to come. It was then about eighteen years, and already Wisconsin was ready to knock at our door for admission as one of the sovereign States of the Union.

The history of the Oregon question presents several very good instances of statesmanship and demagogism contrasted. It was a Virginian, John Floyd, the warm friend of Mr. Tyler in Congress,¹ that made the first report in Congress on the occupation of Oregon, and who first explained the practicability and importance of its connection with the Union. Benton, in 1825, had named the ridge of the Rocky Mountains as the "convenient, natural, and everlasting boundary." Now Benton was so full of the destiny of the United States that he admitted no limits to the extension of our government, and wanted no more negotiations.

Linn's bill passed the Senate by twenty-four to twenty-two votes, but failed in the House, where Adams, in the name of the committee on Foreign Affairs, reported it with the recommendation that it should not be adopted.

The special mission to England failed, as we have seen, in the committees on Foreign Relations, and the Oregon question went over to the next session of Congress. But in the meantime the President was not idle. In 1834, a small settlement of Americans had been made in the Willamet valley, and in the winter of 1842-'3, there appeared at Washington the missionary, Dr. Whitman, who demonstrated to the President the entire practicability of leading a caravan through the mountains—regarded hitherto as the great difficulty in the way. The contracted views which have always marked the Eastern statesmen in regard to our territorial expansion have been charged by the friends of Whitman as animating Webster, the Secretary of State, at this juncture. "It is said that he was actually ready to give up Oregon if England would, in consideration therefor, show an inclination to

¹ "Rely upon it he (Floyd) is honest, faithful and true ; and if you knew him, you would love him as I do."—*Mr. Tyler to Dr. Curtis.*

make concessions in the settlement of the boundary of Maine and the question of the cod-fisheries; but that Mr. Whitman, the missionary, succeeded in preventing Tyler's concurrence by promising to lead a caravan overland to Oregon." As the treaty of Washington was negotiated several months before Whitman's appearance in Washington, this story, so far as it affects the Maine boundary, seems to have nothing solid to rest on; but Mr. Webster did have a commercial treaty on hand when he left the cabinet, and he did contemplate the cession of the northwestern part of Oregon to the Columbia. The story may have taken its rise from these circumstances. Certainly there was a decided difference between the President and his Secretary of State as to the extent and nature of the proposed equivalent. Webster might have looked more to the commercial features which were to be the outcome of his negotiations in England, and the President more to the landed consideration; for on the importance of Oregon to the Union the South held an intermediate position between the East on the one hand and the West on the other. Certain it is, however, that Mr. Tyler was very encouraging in his language to Whitman, his project agreeing precisely with the views he held as to the ultimate settlement of the question. And it was partly due to the warm support and endorsement of the President that Whitman was enabled to land two hundred wagons in Oregon, and accomplish at once the end contemplated by Linn's bill, and that without a breach of treaty.

Upshur succeeded Webster as Secretary of State, and, under the President's instructions, made the matter the subject of a dispatch to Everett, dated October 9, 1843. To my knowledge the whole dispatch has never been published. But Mr. Tyler wrote two years afterwards that it was the design of the administration merely to sound the British ministry on the boundary, and not to present terms until, as in the method pursued in the Ashburton treaty, those terms had been agreed upon beforehand. How far this contemplated the California question I do not know. We do know, however, that Everett was authorized to tender informally the old offer of Monroe, and "*any other terms of compromise which in the progress of his discussions might appear to promise a satisfactory adjustment of this important question.*"¹ Had

¹ The letter of Mr. Upshur to Mr. Everett has never been published entire.

the Texas treaty been ratified, these "other terms of compromise" would have been certainly manifested on the policy of the proposed "tripartite treaty," noticed on page 260.

The subject, it is true, was a delicate one, but Mr. Tyler did not propose, if he could help it, to be cheated of the honor of arranging it during his term of office. In his message at the beginning of the session of 1843-'44 he made mention of the instructions to Everett to bring the subject again to the consideration of Great Britain, and recommended the establishment of military posts on the line of travel of the emigrants to Oregon, in order to protect them against the Indians. "Many of our citizens," said he, "are already established in the Territory, or are on their way thither," and "under the influence of our free system of government new republics are destined to spring up, at no distant day, on the shores of the Pacific, similar in policy and feeling to those existing on this side of the Rocky Mountains, and giving a wider and more extensive spread to the principles of civil and religious liberty." "Our laws should also follow them."

In the meantime Mr. Everett had had several informal interviews with the authorities in England, which appear to have convinced him that a settlement might be finally attained on the old American offer; but a new departure was soon after taken, and the negotiations were transferred to this country.

From the best lights before me, I am induced to think this was done in view of the pending negotiations for the annexation of Texas. Upshur entered upon the negotiations with Pakenham, the successor of Mr. Fox, just about the time when he had completed the preliminaries of this measure. The Texan boundary was "purposely" left open in the Texas treaty negotiated by Upshur, and it was very convenient in healing this sore to satisfy the longing for California through the surrender of the most disputed and remote part of Oregon. But the whole affair had to be

The following extract appears in the letter of Mr. Buchanan to Mr. McLane, July 12, 1845: "The offer of the forty ninth parallel of latitude, although it has once been rejected, may be again tendered, together with the right of navigating the Columbia upon equitable terms. Beyond this the President is not now prepared to go. Nevertheless you may propose or receive, subject to the approval of this government, any other terms of compromise which in the progress of your discussions may appear to promise a satisfactory adjustment of this important question."—*Senate Documents*, Vol. ix., Doc. 489, p. 30.

kept a profound secret. With orators like Allen, Linn, and Benton, shouting for the line of fifty-four degrees forty minutes, as ours "clearly and unquestionably," no part of the proposition could stand separately. Texas would reconcile or pacify all to California, and California to the line for Oregon.

The rejection of the Texas treaty, in June, 1844, disposed Calhoun, who succeeded Upshur, to postpone the subject until Polk's advent. But Mr. Tyler would not acquiesce in this view. Calhoun's advice might be patriotic, and if the old design was to be pursued, the Oregon question ought to follow the Texas one. But Mr. Tyler felt the natural desire to settle the question, if possible, during his own administration. There was no longer any room for delay, since a few more months would witness his retirement to private life. He accordingly peremptorily directed Calhoun to take up the subject where Upshur had left it, and try a settlement by the line of the forty-ninth degree.

Negotiations, therefore, began. The papers of Calhoun were drawn with his usual ability, the American negotiator looking exclusively to the line of the forty-ninth without making a formal tender. Instead of proceeding as Webster had done, without protocols, Calhoun adopted the latter and more rigid plan. The old offer of Great Britain having been made by Pakenham, with a further proposition to make free a port or ports south of forty-nine degrees, and declined by Calhoun, and the latter having refused to present a counter proposal until the title to the territory had been fully discussed, Pakenham proposed to refer the subject to arbitration. This offer the Secretary of State laid before the President, who, having in remembrance the experience with the North-eastern boundary, instructed Calhoun to reject it on the ground that it would retard rather than expedite the adjustment. And now Mr. Tyler's administration came to a close, and the question devolved upon Mr. Polk's administration.

Mr. Polk had been elected on the Baltimore platform, which declared our right to "all Oregon" as clear and unquestionable. In his inaugural, Mr. Polk modified this to the "country of the Oregon." Feeling now had become very much excited on both side the waters. The war-cry was up, and the war-fever soon showed itself in the ill-advised conduct of those invested with the control of affairs. Buchanan, Polk's Secretary of State, who, on

the 12th of July, 1845, took up the negotiations where Calhoun had left them, made the offer to the British government of the forty-ninth degree, exclusive of the free-navigation of the Columbia river. This he did, as he said, in decidedly condescending terms, out of deference merely to the President's predecessors, "who had embarrassed if not committed him." The British government, who had rejected the better offer, was not induced by Buchanan's tone to acquiesce in the latter and less favorable one. Pakenham consequently declined it in a note dated July 30, 1845.

Buchanan then withdrew his offer under instructions from President Polk. The negotiations came to an awkward pause. When Congress met in December, 1845, Polk, in his message, reviewed the history of the negotiations up to this point, included Mr. Tyler among his predecessors to whom he had been so kind in repeating their policy of compromise, and asserted our title to the whole of Oregon. Mr. Tyler's policy had been indeed one of compromise, but he was too cautious a statesman to commit himself on so delicate a question to any attitude of rigidity, whether of compromise or the reverse, and therefore in all his negotiations he had kept himself free to act as the emergency justified without appearing on the records by any formal offer whatsoever.

"Fifty-four-forty or Fight!" now became the cry of the radicals—Cass, Allen and Hannegan—and the administration seemed to concur entirely in the same sentiment. The President recommended the most decided measures, among others that notice should be given to England "by law" of the abrogation of the convention of 1818-1827. Cass took up the sword which the President had thrown with so heavy a clang into the chamber of the Senate, and promptly moved that the committees on the Army and Navy should inform themselves of the defensive strength of the country; while his "yoke-fellow," Allen, of Ohio, moved to advise the President to terminate forthwith the convention of 1818-1827. But the Senate was not disposed to go the length of war. Calhoun and several others separated from the Democrats, and worked with the Whigs against the radicals. The "notice" passed, but it was so amended that, while it secured the votes of a large majority of the Senate, the extremists voted against it. It was prefaced with a preamble breathing the most pacific intentions, and the President was not requested to give the

notice "at once," as the war party desired, but he was only authorized to do it in his "discretion."

The British government was not to be backed down by Polk, but it did not want war, and it could not but see that the American settlers in Oregon held the vantage-ground of "*locum tenens*." It sent over a new overture—the old offer of Monroe. Benton says that this was the offer previously made by Polk, and rejected by Pakenham, in which he makes another of his intentional misrepresentations. True, the proposition of compromise by the forty-ninth degree was in no great respect augmented by their offer to concede the free navigation of the Columbia, but it was the stress which Polk and Buchanan had laid upon the difference that made their acquiescence now in the British offer so ludicrous. It is difficult to believe anything that Benton writes, but he says that it was at his instance that Polk asked the advice of the Senate on the question of accepting the British proposition. Polk thus shirked the responsibility which his own action had evoked, and gave a serious blow to his own reputation as a statesman. The Senate advised him to accede to the overture, and thus was terminated a controversy which at one time seemed to push the country to the verge of war.

In the great debates which ensued at this time, Mr. Tyler's two Secretaries of State cordially co-operated in preserving the peace of the country. A blow struck at England, and Mexico, who was watching the result of our negotiations, would fly to arms; and in the words of Hunter, of Virginia, "the whole Union would be encircled with a wall of fire."

It was during this session that Mr. Webster made his defense of the Ashburton treaty, which Mr. Ingersoll went out of his way to attack. Mr. Webster was pursued with the charge, that as Secretary of State he had abused the secret service fund, not only in bribing the press of Maine to the support of the Ashburton treaty, but in making use of the secret service fund for his own personal uses. Mr. Tyler was specially exonerated by Mr. Ingersoll from any share in the charge; but Mr. Adams, who never missed an opportunity to say something to Mr. Tyler's disadvantage, observed that, if any one was responsible, it was Mr. Tyler, who had no right to put the secret service fund at the disposal of the Secretary of State.

Mr. Tyler could not remain at home when these accusations were being urged. In Washington he testified before the committees of the House and Senate. And the reports which were brought in not only exonerated Mr. Webster from criminality, but demonstrated the remarkable care with which Mr. Tyler had supervised all his subordinates, from the Secretary of State down. The committees pronounced it the national usage to commit this fund, in part or in whole, to the disposal of the Secretary of State; and while the evidence acquitted Mr. Webster as a defaulter, it did show a remarkable contrast between the respective degrees of care which marked the conduct of Mr. Tyler and of Mr. Webster in the management of the public funds. Certain it was that it was a rare sight to see the secret service fund, intended as its name implied for secret purposes of State, made the subject of a public investigation.

And now the Mexican war began. The right of the war was altogether a different thing from the expediency of it. Taylor crossed the Rio Grande, and carried his victorious columns into the heart of Mexico. The American settlers in California seized upon the territory, and the "stars and stripes" waved triumphantly in Southern hands over thousands of miles of Mexican territory. Next the terrible contest began between the two sections of the Union over the division of the "spoils," and above the maddened passions of the times that were to redden the country in the best blood of her conquerors reigned triumphant the Nemesis of valiant Mexico.

Peace with Mexico was concluded on the 2d of February, 1848, and in the midst of the quarrel over the Territories the election ensued for a successor to Polk. That powerful and victorious organization which, under the guidance of Mr. Tyler, had carried everything before it, was scattered and dissevered—a part called "Free-soilers," supporting Van Buren, and another, and the orthodox part, supporting Cass for the presidency. Many of Mr. Tyler's friends supported Taylor in preference to Cass. The Whigs, it is true, had nothing to boast of. Taylor was supported as the "people's candidate," and a resolution in the Whig national convention to declare him a Whig candidate was voted down. The Whig party was destined to win, but retribution for the brazen treason of its leaders during Mr. Tyler's administration

seemed to pursue it to the end. Even the extreme northern wing, which led the party, had to confess the Bank an "obsolete idea." True, the Southern Whigs had so entirely forgotten their record prior to 1840, when every man of them was against Bank, tariff, and internal improvements as to vie with the old nationals in shouting for the American system. But there was no agreement in the party whatever on the slavery question. Mr. Tyler lived to see the day when his old enemies South were disbanded, and came one by one into the fold in which he was gathered, frankly confessing, "Mr. Tyler, you were right as to the principles which you opposed, and we were wrong." The Whig name is at this day a legend, while its great rival, the Democratic party, endures as the dominant party of the Union.

[TO ALEXANDER GARDINER.]

SHERWOOD FOREST, May 21, 1845.

MY DEAR SIR: Your letter reached me last night, and by way of acknowledging its receipt I do not know that I can do better than to send you some of John's speeches¹ embodied in pamphlet form. Be good enough to send one to Col. Gardiner, your uncle, with my respects. The facts are so succinctly, and at the same time so lucidly set forth as to cover pretty much the whole ground.

Mr. Polk seems to be resolved upon an unrelenting war against the few sincere friends I left in office. Reed of Missouri, Hope of Illinois, and Andrews of Ohio, are most recently decapitated. The blood of the martyr is said to be the seed of the church—*nous verrons*—I watch in silence the course of events. Would it not be well to hand a copy of John's speech to the editor of the *Reporter* for publication? . . .

With best respects to all of the family, I write in much haste, having many more letters to write.

Yours truly,

JOHN TYLER.

[TO CALEB CUSHING.]

CHARLES CITY COUNTY, VA., October 14, 1845.

MY DEAR SIR: I have to express my sincere thanks for the beautiful Chinese vases which had reached in safety before my return. Mrs. Tyler has already assigned them their appropriate position in her drawing-room. They will serve continually to remind me of you, and of the happy selection it was my good fortune to make of the first minister to the Celestial Empire ever appointed by the government, as well as of the prompt and able manner in which he acquitted himself of his important mission. I can only regret, my dear sir, that the present administration should permit you to remain in private life for a day, seeing the critical condition of our foreign affairs, and

¹ The speech alluded to here is the "Address of John Tyler, Jr.," from which I have made frequent extracts in connection with the Bank question.

the great importance of putting in requisition the best talents which the country affords. You may well be content to repose on the laurels which you have already won, but it is a different question so far as the country is concerned.

I am very far from considering the Mexican difficulty at an end. Pending the Oregon negotiation, and more especially considering the ill-advised declaration of Mr. Polk in his inaugural, I can readily believe that Great Britain might be very well inclined to induce Mexico to preserve an ambiguous position until she shall perceive clearly what is to be her own relations with the United States. I am in no way informed of the views of the administration, but cannot be mistaken in supposing that the wisest policy requires of it in the present posture of affairs a decisive course towards Mexico. She should be forced at once to declare her intentions, be they war or peace. But, my dear, sir, I find myself indulging in speculations which may be entirely idle, and Mr. Polk may either have anticipated the happy and peaceful termination of the Oregon negotiation, or may already have questioned Mexico categorically. I can only wish for a happy issue out of all our difficulties. So may it be, and to yourself health and happiness.

Yours truly and faithfully,

JOHN TYLER.

[To R. TYLER.]

SHERWOOD FOREST, *November 20, 1845.*

MY SON: . . . Your course as to all overtures which have been or may be made will be cautious and reserved. Commit yourself to no one, but speak of all with consideration and respect. Mr. W. is a man of high talents, at least I always thought so until some of his late State papers, amounting to little more than words by the myriad, strung together as if to show how very obscure he could make his ideas on any interesting subject. These have rather lessened him as a man of intellect in my estimation, but he has heretofore afforded so many evidences of talent that I suppose he must be regarded as a man of ability. But I pray you never to forget in all your conversations with his deputies or agents that they have been brought up in an improved school of Machiavel, and that they will set snares for your feet before you are aware of it. I shall follow your advice as to approaches made to myself, should any be made, and shall stand evermore on my guard. You have said concerning me all that is proper and necessary to say, viz: that every thing that I desired in the future was to have my motives and actions properly vindicated, everything beyond that being of no consideration. I am altogether too sensible of the injury done me by the combined assaults of the Whig and Democratic press to believe that I can sufficiently recover from it for many years, if ever; and all that I should ask of any man would be that, as far as in him lies, he would represent me to the public as I feel justice—naked, sheer justice—would require.

I said nothing in my letter to J. C. Wise which could in any manner commit me, but, on the contrary, advised him to abandon all thought of the thing, as being impracticable and unavailing, while at the same time I frankly admitted that an election to the governorship would be acceptable in one point

only, and that as an offset to the numerous attacks which had been made upon me, and as an evidence that my native State still retained its confidence in me. If anything further transpires, I shall take steps accordingly.

I am most truly happy at the expression of the conviction on your part that the difficulties which stood in your way in becoming a jurist, as you supposed, are vanishing away. I never doubted your success, if your whole mind was given to your profession. You have to guard against hasty conclusions on questions presented to you. Your mind is naturally impulsive, and in most else than in the law first impulses are right, but in that every thing is made up of precedent, and all the abstract reasoning in the world is idle without citing the previous decision. Pronounce, therefore, in no matter whatever too hasty a judgment, but withhold your opinion until you can say "*ita lex scripta est.*" . .

I am busy upon my farm, and have seeded three hundred and sixty bushels of wheat. The rest is with Providence. Our love to Priscilla.

Your father,

J. TYLER.

SHERWOOD FOREST, *December 11, 1845.*

MY SON: Your letter of the 4th December, with its enclosures, reached me last night, and called my attention more particularly to the message than before. The ambiguity in its language had not struck me; but on the contrary, I had read it as distinctly referring to the administrations of Messrs. Monroe and Adams in the offers made of compromise by adopting the forty-ninth degree, "with a further concession of the free navigation of the Columbia river, south of that latitude." But the expression subsequently used, viz., that in 1843 our envoy at London "was authorized to make a similar offer to those made in 1818 and 1826," has produced all the difficulty. My recollection of the matter is that the Secretary of State was directed to write a letter to our envoy to act merely as a pulse-feeler of the British ministry, in order to ascertain how nearly we could approach a settlement, and that his *conversations* were to be of a cautious character, without any commitment on our part until further instructions. Mr. Everett accordingly sounded the British ministry; but coming to no satisfactory result, and it being a matter of too much delicacy to trust anywhere than under the immediate eye of the government at Washington, the negotiation was transferred thither.

I looked exclusively to an adjustment by the forty-ninth degree, and never dreamed for a moment of surrendering the free navigation of the Columbia. But at the same time it is due to Mr. Monroe and Mr. Adams to say that their proposition of compromise by the forty-ninth degree was in no great respect augmented by their offer to concede the free navigation of the Columbia, since settling the line at the forty-ninth, no British colony or settlement could be reached through that river by a British vessel, and the only advantage to her would have been the furnishing the American settlers with articles of commerce in common with our own ships. If you will look at the map, you will readily perceive this. The British government is not looking so much to that river as to her settlements upon it, and the country stretching away to the St. Francois. The chief settlement in the territory is at Fort Van-

couver, on the Columbia, and there the Hudson's Bay Company has a strong location. I never dreamed of ceding this country, unless for the greater equivalent of California, which I fancied Great Britain might be able to obtain for us through her influence in Mexico; and this was but a dream of policy which was never embodied. I confess that throughout the whole of this business I have been firmly impressed with the belief that our true policy was to let things take their natural course under an improved treaty of joint occupancy. Lord Aberdeen thought otherwise, and the clamor from the west came up, and hence the trial to adjust by negotiation. But, my son, while your letter to the editor was proper, yet there can be no occasion for writing in vindication of my course. The documents, now I presume to be published, will speak for themselves; and even if such offer as was made by Mr. Monroe had been repeated by me, we should have in the memory of that man a strong supporter.

One fact has been omitted by Mr. Polk, and of great importance it is. The British government proposed a *reference to arbitration*, which I rejected. Why this was omitted by Mr. Polk I cannot well conceive. But we need feel no concern about it, as it occurred under Calhoun, and he will be ready to explain; and yet this was made by Pakenham as late as the fall of 1844, or possibly the winter of that year; and yet omitting this fact Mr. Polk says, "When I came into office, I found this to be the state of the negotiation."

I was most struck at that portion of the message relating to Texas. In speaking of my election, of Brown's resolution he says, "This election I approved, and accordingly the *chargé d'affaires* was on the 10th March instructed," etc. Now my instructions had already gone on the 3d, and Mr. Polk on the 10th did nothing more than confirm them." He would have told the whole if he had said, "This election I approved, as also the instructions to our *chargé* which issued at the same time, and which, by instructions of 10th March, I directed him to carry out."

I wrote you by Alexander Gardiner. Did you get my letter? I wait for some opportunity to send you, for Mr. Cooper's use when he visits you, a box of wine. With love to all. Your father, J. TYLER.

File this letter carefully away, and compare the facts stated with the documents when published. I draw from memory. You cannot act too cautiously. [See the Documents in Calhoun's Works, iv., pp. 414-460.]

SHERWOOD FOREST, December 23, 1845.

MY SON: . . . You have now seen the whole of the diplomatic correspondence relative to Oregon, and can better appreciate the unguarded expressions in the message as to my offers of compromise. None ever in fact was made, although when it was believed that the negotiation was to be conducted in London, Mr. Everett was authorized to feel the pulse of the ministry as to the forty-ninth degree. I have no recollection of his having so far advanced with the negotiation as to have submitted formally any proposition, and yet the language of the message very clearly embraces me in its terms.

Buchanan's last letter to Pakenham is more definite and precise. It is an able vindication of the American claim, and leaves Great Britain without any

strong pretense to title. He might have more strongly retorted the inconsistency of her claim under the Nootka Sound convention, and McKenzie's exploration of Fraser's river. The letter, however, is very able, and yet it is altogether too late to say that the question is not one of compromise. By the very terms of the treaty of Ghent, by which Astoria was restored to us, it is made a subject of negotiation.

I think it would be a high stroke of policy to interest Great Britain in our negotiation with Mexico, so as to lead her to concede California, and thus to bring about a tripartite treaty, according to Great Britain the line she offers, and we taking California, Great Britain to pay so much toward our purchase. It would require great skill to bring this about. I see now no other basis for negotiation with Mr. Polk, holding the opinion he does, and I fear a war for the whole will lose us the whole. These are speculations for yourself. The future will take care of itself as the past has done, and my trust is evermore in an overruling Providence. . . .

Neither Julia or myself have of late been well. I suffer from catarrh, but am not confined to the house. My dependence is now on the plow, and there is wisdom in the old lines—

"He who by the plow would thrive,
Must either hold the reins or drive."

Give my love to Pris and "Tish." Your father,
How do you come on in your profession?

JOHN TYLER.

SHERWOOD FOREST, *January 1, 1846.*

MY SON: Your letter of the 24th December reached me last night, accompanied by your repeal speech. It is certainly eloquent, and abounds in truths which will sooner or later be verified; but I do not feel so entirely confident of war as you are. The immense interests at stake upon the land and the high seas will cause both countries to pause ere they draw the sword. Each will bluster and threaten, but that over they will think, and thinking hesitate. I go for peace if it can be preserved on fair terms. The United States require still a peace of twenty years, and then they hold in their hands the destiny of the human race. But if war does come, we shall fight on the side of right. Our claim to Oregon to the forty-ninth is clear; what lies beyond is attended with colorable title on the part of great Britain by the exploration of Fraser's river by McKenzie; but it is only colorable. Should we be found at war, then every man should do his duty, and God forbid that son of mine should be recusant. The brigade by all means! It gives you position and control. My thoughts, however, I must confess, are turned on peace.

Your exposure between Bristol and Philadelphia must be severe. Can you not transfer Pris and Titia to the city during the winter? They might return in March. I will assist you in the move, although *desperately* bare of cash; yet they should be there, or matters so arranged as that you should visit them more frequently than once every day. Letty is in Washington on her way to join Priscilla. When she reaches, you will have more liberty. I have made no arrangement as to my Kentucky lands, although some friends are still at work about it. . . .

Apropos of Texas. I have this day, the first of the new year, received from the ladies of Brazoria county a silver pitcher of handsome workmanship, in token of my services on that question. It has an appropriate inscription, etc., etc. You will shortly see my answer to the chairman's letter. I do not doubt your success in Texas, and I could aid you somewhat in the move; but when I suggested it to Mr. Cooper, he remarked that his last link would be broken, or something to that effect. For myself, I would much prefer success where you are. Fortune comes slowly but surely to the industrious and persevering. Make but one speech in court equal to those you made at the repeal meetings, and all will be well. I see Cameron's competitor is appointed judge. I know not the man, but why not King or Reed? . . .

Give my love to Priscilla and Titia, and tell me in what I can aid you.

Your father,

J. TYLER.

Mary and Lizzie, with their husbands, have passed the holidays with us. We should have been rendered still happier by having you and yours.

SHERWOOD FOREST, *January 26, 1846.*

MY SON: I am highly gratified at the manifestations of regard which are from time to time exhibited for you by the people of Philadelphia; and yet I fear that they may lead you away from your profession and give you too great a predilection for politics. The seducements of the last are so strong as to prove almost resistless. So at least I have found them. Your Oregon meeting was certainly immense, and can not but cause the politicians to open their eyes to a strength which may in the end control the fate of each of them. The resolutions which were adopted are sufficiently *ultra* certainly, and precisely such as Cass and Allen, who I take it are yoke-fellows, are ready to sustain.

The latest advices we have in these parts (the mail of to-morrow may bring us later news) is the resignation of the British minister, and the coming into power of Lord Palmerston at the head of the foreign office. If so, it looks sufficiently belligerent. He stands up strongly for British power, and is no friend to us, so that things may be brought speedily to a crisis; and yet it is strange enough that, just at the moment that a more extended and unfettered system of commercial intercourse is about to be established between the two countries, we are threatened with a rupture. The repeal of the corn laws is for the United States a measure of the greatest moment, which met in a proper spirit by us would lead to the happiest results. But war! war! is the cry in which Democrats, Whigs, and Abolitionists unite. Strange union, indeed! The objects of the last are easily understood. They seek, not Oregon, but the Canadas, as a means of overbalancing Texas. War, I also say, before one jot or tittle of the public honor be surrendered; but that is the very point to be decided.

I see that Fisk retires from the *Journal*, and that its purchase is ascribed to Cass and Allen in the *Herald*. Does this mean opposition to Polk? Ritchie is hammering away at my administration on the score of the public expenditures in contrast with Van Buren's, and calls my administration the

Whig administration. The *Intelligencer* takes up the cudgels, and mauls him outright.¹ Was there ever so wretched a set as these old Hunkers? "They will not worship God, though the devil bid them." . .

Give my love to all. Your father,

JOHN TYLER.

[ALEXANDER GARDINER TO MRS. TYLER.]

WASHINGTON, Feb. 13, 1846.

MY DEAR SISTER: I learn through a letter received from Margaret day before yesterday that you are expecting me at Sherwood. If I should consult my feelings, nothing could give me more pleasure than to visit you again; but my absence from the city is necessarily so brief that I should scarcely be able to salute you before being compelled to take leave, should the attempt be made. I shall probably leave Washington day after to-morrow, so as to be in New York at the opening of court on the 18th, now very near at hand. I trust that my journey here may not be altogether unsuccessful in the way of my business, and that I may have at least foiled my kind friends of the District Court in a blow aimed at the emoluments of my office through the Judiciary Committee of the House.

I have just returned from a small party at Secretary Walker's. There were about twenty present, and a very good supper was provided. Last night I was at a large ball, given by Capt. Aulick at the Navy Yard. In the early part of the evening the rooms were too crowded, but as time advanced the company became less numerous, and the general enjoyment ran high. The rooms were brilliantly illuminated and decorated, and the music was remarkably good. The families of the cabinet and the foreign ministers were generally present. Mr. Dallas and his daughter were among the company, and I thought somewhat annoyed at the small degree of attention I was surprised to see they received; indeed, I was almost her sole beau during the whole time she remained. I observed a great deal of beauty. Among the most conspicuous were the Misses Taney, daughters of the Chief Justice, Miss Thibault, of Winchester, Va., Mrs. Blair (late Miss Jessup), Mrs. Blunt (late Miss Key), Mrs. John R. Thompson, etc., etc. The supper was quite elegant, but very soon demolished. The night was far advanced when I reached home.

The day before I dined at Gen. Van Ness'. It was a senatorial dinner. Cass, Haywood, Evans, Johnson, Dayton, Miller, etc., etc., Judge Woodbury, Mrs. Wilkes, Mrs. Johnson, etc., were the guests. Cass held the place of honor, but was not otherwise a very great feature. Haywood was very amusing, and took off Allen with great effect, showing the absurdity of his enunciation and how he was in the habit of sinking the greater into the lesser quantity, as, for instance, "four years *and* two MONTHS." In a mixed company this was not perhaps in the best taste, and his wit was sometimes rather overdone. When a bottle of *particular* wine was passed to Woodbury, he declared there was no hope that it would get beyond him, since it had reached

¹ See the *Intelligencer*, for January 1, January 10, and January 14, 1846.

the court of last resort. This was well said, and not a bad *bon mot*. I have since seen Gen. Van Ness and his family, now consisting of Miss White, Miss Van Ness and Gov. Van Ness and his wife. They said many agreeable things of the President and yourself; in fact, I hear such speeches from every quarter. I might have mentioned in connection with Capt. Aulick that he dwelt with some apparent vanity upon a visit which you formerly made to the Navy Yard. Gen. Van Ness spoke to me of the present administration as being very contemptible, and it seems to be viewed with general indifference. The last appears to great advantage in the comparison which naturally suggests itself to the minds of people who have been brought into contact with both.

I called at the President's some days since, and passed some time in pleasant conversation with Mrs. Polk and her nieces. She made herself very agreeable, and passed several enquiries respecting you. Her nieces are Miss Walker and Miss —, (the better looking), whose name has escaped me. When I saw Mr. Polk there were several others present, and I exchanged but a few words with him. He is excessively plain, and equally devoid of manner and tact in conversation.

After the dinner at Gen. Van Ness', I attended a charity ball at Carusi's. The room presented the usual appearance, and the assemblage was not large. Here the private secretary, Knox Walker, became very attentive to Mrs. —, and he followed up his devotions with so much assiduity at Capt. Aulick's that it created some remark, and scarce any one else approached. Though Yankee clever enough, he carries evidently more sail than ballast, and is not a very captivating *elegant*. Mrs. — is a daring coquette, excessively fond of admiration, and has felt evident disappointment. The Governor has expressed a warm desire to visit Sherwood, but I doubt whether you will see them very soon.

I believe Mr. Mason's ball took place after I last wrote you. Such a jam was never beheld. Some of the company retired before reaching the spot where Mr. and Mrs. Mason were receiving, and it was at least an hour after entering before I was enabled to do so. After midnight, things became more tolerable, and the dance went on with spirit, though the apparel of some of the ladies exhibited the effects of the ordeal through which they had passed. The supper room presented a perfect bedlam, and it was as impossible for one once in to get out as for a camel to enter the eye of a needle—literally. The floor drank as much champagne as the guests, and it was an even chance whether the viands once lifted would reach the mouth or take some other direction. I found a private passage, through which I took Mrs. Webster and two or three other ladies. The supper was really splendid, but soon dispersed.

Among the company were several New Yorkers,—Langdons, Phelps, etc. I was introduced to, among others, the prettiest of the Miss Ritchies, who spoke in your praise.

You are now current with my movements in the *beau monde*. After all, Washington is not by any means what it was last winter. When I return home, I will endeavor to write you whatever else may occur to me that can

be interesting to you, but it is now on the first hour of the morning, and to-morrow being my last, must be a long day. So good-night.

Very affectionately, your brother, ALEX. GARDINER.

I trust this letter may go safely—at least fall into honest hands—for I have written much that ought not to meet the eyes of others. The venture is made for your amusement. I have not a moment to look back, and you must supply whatever is wanting.

NEW YORK, *February 22, 1846.*

MY DEAR SISTER: I returned to the city safely on Tuesday last, and a day or two before I left Washington, wrote you a long letter devoted chiefly to the social movements there. I find by one of your letters to Margaret that the President and yourself have been expecting some political intelligence from me. I fear that I cannot give you much definitive information on this topic; for men and parties seemed involved in the most inextricable manner. I have little doubt that the Oregon question will be settled by compromise, and that the foolish agitation of the subject will result in losing us a considerable portion of the territory—that portion of it north of forty-nine degrees. It was not to be mistaken from Mr. Walker's conversation in my presence that he was favorable to such a settlement of the question. It is evident that a compromise would tell strongly against the administration, for whether our title is conclusive or not, they have taken the ground that it is, and must reflect dishonorably upon themselves by failing in the complete assertion of their position. Mr. Calhoun said to me in the way of enquiry that he presumed a settlement on the forty-ninth degree would be satisfactory in New York. I could not tell him that, strangely enough, those who had been known here as peculiarly his friends, the "Progressive Democracy," were almost necessarily driven to maintain our claim to the whole territory. Such, however, is the fact. Walker would naturally desire to see the dispute arranged, for he is engaged with the tariff, and of course jealous of the greater part on any other question. I understood that Benton was scarcely on terms of personal intercourse with the President, and was somewhat surprised to see the laudatory terms in which he referred to his course in his late speech. However, he seems to have advocated a compromise; probably out of less regard for the West and more for the North, in view of a candidate for the presidency in 1848. I met Cass at General Van Ness', and he was boarding in the same house with me; but I did not care to become acquainted with him; still I have no doubt the friends of the President would have fared better if he, instead of Polk, had been taken up by the convention. I heard constantly of his oracles on the state of the Oregon question; and as he pretended to speak advisedly, conclude that he must have been somewhat mortified by the facts as subsequently developed; for up to the day of the communication of the correspondence to the House, he announced confidently, and as the result of enquiry, that there had been no renewal of the negotiations. It does not appear that the administration has any exponent, or any confidant in either House; and as it has no trusted friends, it can have no reliable supporters.

In the multitudes of candidate for the succession I did not perceive that

any one had a marked prominence, though on our side the attention of men is most turned to Calhoun, Cass and Wright. Robert is urging Commodore Stewart. I did not hear him much canvassed; but the more the merrier.

Your affectionate brother, ALEX. GARDINER.

NEW YORK, 6th April, 1846.

MY DEAR SISTER: I enclose the inscription finally decided on. You will observe that I have made some alterations in it inclining to your views, as many, and going as far, as could be agreed on. It will be engraved this week and the monument will be erected at East Hampton before the 1st of May.

The President must be greatly edified by the recent proceedings in Congress. Benton out for forty-nine! I can scarcely understand it. His situation is, to be sure, naturally antagonistic to that of Cass in the West; but, *prima facie*, I should think his interest would be to rival him in the ultraism of his views on this subject. The manner of Polk's management of the question seems to secure for him little respect in any quarter.

The passage of the Sub-Treasury bill through the House has produced a considerable decline in stocks and created a considerable sensation in commercial circles. As it will doubtless pass the Senate, we shall soon see its practical operation. I am not sorry that it is at length to have a trial. The theory of it sunk Mr. Van Buren; and the practice of it, combined with the course pursued on the Oregon question and the *general harmony* of the Democratic party, may sink Mr. Polk and any man who founds his hopes upon his policy. If the Sub-Treasury, in its present form, should prove a useful expedient, so much the better for the country.

I have obtained several subscribers to the *Old Dominion*.

David is still in East Hampton. I have read the President's letter to him. I do not see, and never have seen, any objection to leaving the property as it is at present.

The Circuit Court opens to-morrow, and I shall probably be pretty closely confined for the next two months. Judge Nelson came in town yesterday.

With love to all.

Very affectionately, your brother, ALEX. GARDINER.

[TO ROBERT TYLER.]

SHERWOOD FOREST, April 14, 1846.

MY SON: The article in the *Times* which you sent is spirited and well written, and the excoriation inflicted most justly deserved. And yet I confess my preference for Benton over Cass, the last of whom is spoken of in the article in commendatory terms. The first openly assails, and as manfully defends; the last is a jerry-sneak. The first attacked the Washington Treaty like a man,—a desperate one, it is true, but still like a man; the last, after having obtained leave to return home on the ground of long absence, wrote, his leave being on the way, as he very well knew, another letter, asking his recall, upon the ground that he could no longer, since the Treaty, remain abroad with honor. He afterwards attacked the Treaty on the ground that it

surrendered the right of search through the stipulation of a fleet on the coast of Africa. He is now playing the extreme game, and you play it with him. You are best calculated to judge of your true position where you are, and therefore, I have nothing to say. But I should, for myself, deprecate a war as next to the greatest of evils.

Webster, I see, has laid his hands heavily on Ingersoll, and I must say that the last richly deserves it. What reason could he have had to assail the W. Treaty in discussing the Oregon question? Dickenson has made a call for instances of the exercise of search since the treaty, with a view to assail it. And yet all nations are eager to imitate our policy of a fleet, and desirous to abrogate prior treaties surrendering the right of search.

Mr. Allen's assertion in the Senate that I had made known to Sir R. Peel, that if the notice passed the two Houses I would veto it, would, I suppose, have passed as gospel, along with other falsehoods about me, if Calhoun had not instantly have contradicted it. There are a set of reckless men who care not what they say provided they can make a little political capital.

I am glad that you are out of debt. Be sure to keep so. I have not a word from John of late.

With love to Priscilla, Letty and Tish, Your father, JOHN TYLER.

SHERWOOD FOREST, *April 21, 1846.*

MY SON: I very much rejoice in your success at the last great meeting of the Democratic party. From your account of it, it was quite signal. You should not go into Congress, at least I think, not unless you come to a determined resolution to bear or to be indifferent to everything that shall be said of me. It is obvious to me, since Dromgool's malicious attack, that I am continually to be assailed by one of the three factions—there are now three in Congress—until the contest of 1848 is pretty well decided, and then the courtship for my friends will begin. Can you firmly resolve not to permit yourself to be drawn into controversy about me? if so, that difficulty will be removed. I should be held responsible for your opinions, but that I should not much care for; but are you not in danger of breaking in too seriously with your professional pursuits? After all, does not one exercise more control and influence by declining than by accepting office? I have always regarded McMahon's position in Baltimore as the most important. If you decline, I should be highly pleased to see one of my old friends in the House, who would have the manliness to step forward and defend me against unfounded assaults.

The late proceedings in Congress relating to the secret service fund need not at all disturb you. If my certificate was the voucher at the Treasury, that certificate was founded on vouchers, all of which have been carefully placed on file; and as to old Adams' idea, that I had no right to place a fund at the disposal of any body, it is just absolutely ridiculous. How did the malignant old man expend his \$30,000 at Constantinople? All that he had to do was to see that the expenditure was made in furtherance of the objects of the mission, and to receive vouchers for the expenditure.

Mr. Van Buren left \$16,000 of the fund unexpended, which was afterwards

expended to meet his own engagements. I left a balance of more than \$28,000, after having negotiated innumerable treaties, and after having quieted most serious disturbances to the general peace. I regret most deeply that Mr. Ingersoll should have involved himself in this matter, although he exonerates me. For him I entertain feelings of much kindness.

With love to Priscilla, Letty and Tish.

Your father,

JOHN TYLER.

WASHINGTON, *May 30, 1846.*

MY SON: I received your last letter on yesterday, and was gratified to learn that you had been able to tender the services of a regiment to the government for the Mexican war; at the same time I am much pleased that your tender was not accepted at this time. The sickly season on the Rio Grande is about to commence, and military operations on a large scale will not commence sooner than the fall. I am nevertheless glad that the offer was made. The Adjutant-General of Pennsylvania called upon me after I had received your letter, and, conversing on the subject of volunteers, he remarked that the regiments tendered were not generally full, the companies being short in almost all instances, and that a rule had been adopted to require every such tender to be accompanied by the signatures of the men composing the company, battalion, regiment, or brigade. . . .

Yesterday I finished with the Webster committee, and shall to-day appear before the Ingersoll committee; what to speak of, I know not. I have abstained from seeing Webster until after my examination was closed on yesterday. He then called, and has since sent an invitation to dinner for Monday, which I have accepted. My testimony will do him no great harm. Whether it will be of service to him or not, I cannot say. The whole affair is unfortunate. Mr. Ingersoll left his card on the day after my arrival.

To-day I dine with the President, Judge Mason and wife. Mr. Buchanan, Mr. and Mrs. Walker have called, and one unbroken stream has flowed in upon me during the whole time that I have been here. This has been gratifying. I hope to get away on Wednesday. My harvest is about beginning, and home is my place.

With best love to Pris, Letty, and the little ones.

Your father,

JOHN TYLER.

A whisper is in circulation that Scott refuses to go to Mexico. In a few days we may expect developments. In the meantime say nothing. I got no letter from Letty, or any one else, announcing the birth of your child.

WASHINGTON, *June 1, 1846.*

MY SON: I have this day finished with the committees, and am now looking homeward. I leave to-morrow morning. The members of the committees were very polite and becoming, and my testimony was detailed by me with distinctness and clearness. Some answers were given which will serve to recall the attention of the country to the condition of things as they existed when I came into power. The friends of Webster are satisfied, and I have no complaint from the other side. . . .

The attentions which I have received have been of a marked character, and

the politicians had much preferred that I should not have come. I turn my back upon the miserable set on to-morrow with indescribable pleasure.

I dined with Mr. Polk on Saturday, with Yulee's mess on yesterday, and shall dine with Webster to-day. To-morrow I was to dine with Mason, who has been very attentive, but shall send my apology.

Dr. Miller has received a letter from Letty to-day, stating that you are sick with a cold. I shall be uneasy about you until I hear from you. Write me at home. It proceeds from your liver.

The Mexican war will either be of very brief or long continuance. But few laurels more will be won. At all events, but little more will be done for three months. I care but little about your entering into it, as it is so important that your office should be attended to. I almost regret that you have thrown yourself at the head of a company. These people might be well inclined to push your company off to get rid of you.

However, I suppose you have considered all these things. The President told me that he had ordered a detachment to Santa Fé, and the papers announce Col. Harvey to be in command. We shall soon have developments as to General Scott's position. I do not understand what they are to be.

Do, my son, take care of your health above all things. I hope to see you some time in July. Love to all.

Your father,

JOHN TYLER.

Mr. Slidell dined at the White House with me, and enquired particularly after you and Priscilla.

[ALEXANDER GARDINER TO MRS. TYLER.]

NEW YORK, *February* 19, 1847.

MY DEAR SISTER: It is so long since I have written you that I cannot conscientiously delay it another day, though there is little enough to write about. I wish that, instead of resorting to the pen, I could sit down to an evening's chat with the President and yourself before a crackling fire in Sherwood. There are so many important state questions, and so many strange developments, agitating the government and the public mind, that I long to hear the President's views regarding them. He doubtless contemplates the condition and progress of affairs as philosophically as he might complacently.

Poor Ritchie! *he suffers some*, as the *Recorder* used to say. Shade of John Jones preserve him! That illustrious predecessor fared no worse. Dr. Woods says that Mr. Polk has grown as old and grey and care-worn as he is friendless and folorn. Verily, he hath his reward. Still, I should not be surprised to find the measures of the executive triumphing in the end over all opposition—at least triumphing in the House. The immense military patronage of the President must go far towards disarming opposition. There was a meeting here last night in support of the war; it was intended to be a very large and a very united one, but failed in both these respects. You will find in the *Herald* a pretty fair report of its proceedings, which were disorderly enough. Notwithstanding the disputes of the politicians, there is a strong patriotic feeling in favor of a vigorous prosecution of the war. It seems to me that the executive should be furnished with ample means, and then held responsible for the manner of their employment and the results.

The famine in Ireland and the projected Hudson river railroad are the prevailing and incongruous topics in the city. The distressing accounts of the former have enlisted general sympathy, and large charitable contributions. Corn continues very high, and freights are so exorbitant that I understand our largest packet ships clear from fifteen to twenty thousand dollars in a single voyage. It seems to be the general opinion that the price of corn will not fall much for a year to come. How does your wheat look? . . .

Mr. Horsford, to whom Mary is engaged, has been appointed Rumford professor in Harvard University, and it is a fair conclusion that this long pending affair will at length be brought to a consummation. Col. Webb has, I learn to-night, been appointed by Mr. Polk a brigadier-general of volunteers. My paper and flickering light admonish me to stop.

With best regards to the President, good night.

Very affectionately, your brother,

ALEX. GARDINER.

[To COLONEL CALEB CUSHING.]

SHERWOOD FOREST, CHARLES CITY CO., VA., *March 8, 1847.*

MY DEAR SIR: Your letter of 23rd of February came to hand by last mail, and I delay not to express the gratification I have experienced at your late appointment to the command of the Massachusetts volunteers, tidings of which had reached me through the newspapers before your letter more authentically announced it. I feel certain that the honors and fame of the old Bay State could not be entrusted to safer hands. If the President would enlarge the trust by confiding to you diplomatic functions, in the event of Mexico being disposed to treat, I should feel entire confidence in an honorable peace. I think that there is a prospect before you of many a hard fought field, but after the manifestation of high moral courage which you have afforded in your political career, I have no apprehension but that the honor of the *Guard*, as well as that of the country, will be fully sustained. Mrs. Tyler unites with me in the wish that you may come out of the war with the brightest laurel wreath around your brow.

With true and sincere regard,

JOHN TYLER.

P. S.—May I not occasionally hope to hear from you while abroad?

[THE SECRETARY OF STATE TO ROBERT TYLER.]

WASHINGTON, *December 25, 1847.*

MY DEAR SIR: A merry Christmas and a happy and prosperous New Year to you and Mrs. Tyler! This I wish with all my heart, and trust that my wish may become a reality.

Your speech at the great meeting has extended your reputation. I received several letters from Philadelphia, written by individuals capable of appreciating its merit, who say it was the best political speech they ever heard. Of this I informed the President, and he voluntarily undertook to have the proceedings published in the *Union*. You may then judge of my disappointment, when, upon opening the paper this morning, I discovered that the speeches were omitted, whilst the letters were published. I will complain of this to the President.

Ritchie has, I think, no favorite candidate. His game is to be non-com-

mittal. He fears to offend any, and thus displeases all. The present printers of Congress, it is supposed, will be compelled to abandon their contract, and he is looking out for the printing of the Senate. Rives will be his competitor. I have been astonished, however, at the evident reluctance to publish the proceedings, although the President was delighted with them, and anxious for their publication.

Things here remain pretty much as they were when you were with us. Prospects would be very fair, indeed almost certain, were it not for the divisions in Pennsylvania, which are magnified into an importance they do not deserve. The State looks better and better.

With every feeling of grateful regard, I remain, sincerely your friend,

JAMES BUCHANAN.

[TO ALEXANDER GARDINER.]

SHERWOOD FOREST, *January 27, 1848.*

MY DEAR SIR: . . . The Democratic press has seized upon my letter to the *Journal of Commerce* as a disavowal of Taylorism, taking care to copy only so much of it as by forced construction admits of such interpretation. The *Evening Post* and *Herald* lost all regard for decency in their comments on it, particularly the *Evening Post*. Can Bryant still be the editor? ¹ One would expect something better from one who claims to be one of the literary lights of the age, poet and a scholar. Or is it quite enough to make a man a blackguard that he should be an editor? This would be a harsh saying to use, and yet how rarely is it that an editor practises that refinement of language which good breeding dictates?

We are all well. Margaret exercises on horse-back daily, the weather being delightful, and Mr. Beeckman resorts to untiring expedients to kill a wild Turkey or ducks, but so far all in vain.

With best regard to all, yours, most truly,

JOHN TYLER.

[TO CALEB CUSHING.]

SHERWOOD FOREST, CHARLES CITY CO., VA.

MY DEAR GENERAL: Your last acceptable letter from Monterey reached me after a long delay, and gave me the agreeable intelligence that you commanded the men of the Bay State and Virginia. As a Virginian I rejoice in this, because I am sure that prudence and valor will go hand in hand, and while situations of the most imminent danger will not be declined when to occupy them becomes necessary, rashness will be avoided as the antagonist to sound and deliberate courage. Unless the sons have degenerated from their sires, your command is destined to illustrate the fame of their ancestors and to reflect imperishable glory on yourself. The union in the same corps and under the same commanders of the two regiments is so congenial with the past in the history of the two States, as to be exceedingly agreeable to my feelings. Would to Heaven that the only rivalry between Massachusetts and Virginia and their citizens could be none other in all time to come than for the good of the country and the happiness of the human race!

Our friend Wise has returned and made his bow at Washington. I have

¹ Bryant had been one of the anti-Texas Van Buren men in 1844.

not yet seen him, although I flatter myself that I shall enjoy the pleasure before long. He would doubtless rejoice very much to be with you, although a whisper has gone the round that he is studious of the Scriptures, and deeply engaged in theological subjects. Nay, I have heard it said that he is studying for the ministry. I give you the rumor without in any degree vouching its truth. The political parties are both at fault for suitable candidates for the presidency. Many of the Whigs still look to Mr. Clay, while others still speak of General Taylor. Mr. Webster has been nominated by the Whigs of Massachusetts and New Hampshire. On the Democratic side no distinct move has yet been made. I think it, however, pretty obvious that Mr. Buchanan is at this moment in advance of his competitors. He has come out strongly against the "Wilmot Proviso," and the result of the Pennsylvania election, which has resulted in the triumphant re-election of Shunk as governor, gives force to his claims. In New York the Democrats are at odds and ends. The Van Buren faction has been badly beaten at Syracuse, and the other night at Tammany. It has avowed itself in favor of the "Wilmot Proviso," and against the regular nominations made at Syracuse. Believing you still interested in all that is going on in this country, and deeming it probable that the above particulars have not reached you, I have thought it might amuse you in an interval of duty to be placed in possession of them. Your nomination as governor of Massachusetts is, from all I have heard, well received by the Democracy of that State; and Mr. D. Henshaw, with whom I lately fell in company, thinks your election probable. Should it occur, I will raise a bonfire in honor of the "corporal's guard."

Yours, truly and sincerely,

J. TYLER.

[TO ROBERT TYLER.]

SHERWOOD FOREST, June 14, 1848.

MY SON: Your letter is before me. I have but a word to say,—look wholly to your future without regard to me. I have no expectation of again entering public life. Cass is greatly open to attack. Taylor admits of being highly lauded, and yet the issue is doubtful. The great number who hang on in order to count the chances will, when they think themselves certain, fall in and decide the contest. Fillmore is a dead weight, but *nous verrons*. I say nothing and do nothing. Clay is dead, and none of the conspirators will succeed.

My wheat has the rust, so also that of most of my neighbors, and I cannot complain.

Lizzie and her children are with us,—all well. Love to Priscilla, and kisses to children.

Your father,

J. TYLER.

[THE SECRETARY OF STATE TO ROBERT TYLER.]

(Private.)

WASHINGTON, July 13, 1848.

MY DEAR SIR: I owe you many thanks for your kind letter of the 8th instant. Although a man of but few professions, I cannot forbear to say to you that I warmly appreciate and reciprocate your friendship. Nothing could gratify me more than to witness your prosperity and your elevation to that

high standing, both personal and political, which is due equally to your commanding talents and your excellent heart. The day is rapidly approaching when you will be properly estimated.

It is my fixed determination to retire to private life, at least for a season, at the close of the present administration. I have already written several letters to different friends throughout the State in reference to their enquiries, stating positively that I shall not be a candidate, either for the office of Governor or that of United States Senator. I could not fully explain my reasons for this course in a letter without taking up too much of your and my time; but I am convinced that in a conversation of half an hour I could satisfy you that I had judged correctly. Besides, my own strong inclination impels me to the shades of private life. I am sick and tired of my present situation.

I bore my defeat at Baltimore with perfect resignation. The conduct of the Virginia delegation alone disturbed my equanimity. To trade me off for the chances of making Mason Vice-President, and then to fail so signally in the attempt, was unworthy the Ancient Dominion. "How are the mighty fallen!" I have no doubt that in abandoning me the delegates did not obey the will of their constituents. I think the prospect is tolerably fair that the slavery question will be settled before the close of the present session, by the adoption of the Missouri Compromise, or something like it.

It is yet too soon to form a correct opinion in regard to the result of the presidential election; but from present appearances, I think the chances are in favor of Cass and Butler. Beyond the limits of New York it is believed that Van Buren will take more votes from Taylor than from Cass. According to my present estimate, Cass will receive the electoral votes of Maine, New Hampshire, Pennsylvania, Virginia, Texas, Arkansas, Alabama, Mississippi, Missouri, Iowa, Wisconsin, Illinois, Indiana, Ohio and Michigan. These States give one hundred and forty-four electoral votes, whilst one hundred and forty-six are necessary to an election. To make up the deficiency, we have a fair prospect of carrying South Carolina, Florida and Louisiana, and are not without hopes of Georgia and Tennessee. Taylor's nomination has not been any where hailed with the enthusiasm which I had anticipated.

From your friend, very respectfully,

JAMES BUCHANAN.

[TO ROBERT TYLER.]

SHERWOOD FOREST, *October 16, 1848.*

MY SON: I received the *Pennsylvanian* containing your speech on the Free-soil question, and read it with great pleasure as well as profit. I believe it to be the ablest exposition which has yet been made of the entire subject. My friend, Doctor Crump, late minister to Chili, left me this morning after a visit of three days, taking the paper along with him with a view to have it published in the *Enquirer* and *Examiner*. Whether they will give as much space in their columns as it will require at this time remains to be seen. The Doctor will strenuously urge its publication. You have taken the right position, and one destined to tell in the future. And so you have lost the governor in Pennsylvania. This I regret, but presume it was produced by a combination of the Barnburners with the Whigs. If this be so, Cass will carry the

State, since in the presidential election a subduction of the Barnburner's vote will be made from the Whig poll. Am I right or wrong in my conjecture? The same source from which I derive information of the loss of your governorship, advises us of Weller's election in Ohio. I take it that he has conciliated the Barnburners there, and thereby has succeeded. If so, Ohio will go for Taylor? No matter how elections result, we shall have troublesome times in the next four years. The Democracy requires a new infusion of pure and unadulterated Republicanism into its ranks. If Polk had played his game wisely, he would have reconsolidated the old Republican party, and rendered it invincible. Such was my policy; but he destroyed, I fear, all that I built up, by the proscription of my friends. He was too deeply in love with his old allies of Jackson's time to see an inch before him. Is it not a little singular that the Democrats, should it be so, have sustained defeat under two of their dearest and best beloved, while under myself they carried everything? Should the presidential election result in the defeat of Cass, they should be told so through every channel by which they can be reached.

Your father,

JOHN TYLER.

[TO ALEXANDER GARDINER.]

SHERWOOD FOREST, *November 14, 1848.*

MY DEAR SIR: . . . And so Taylor is the president-elect. I voted for Cass on open ticket, and in this small county we made a great advance upon the Whigs. I shall not shed many tears at the result. Poor Van! He is literally a used-up man; and Clay, let him shed tears over the fact that anybody can be elected but himself. Yes, I wrote to Calhoun, and sent him the statement, but I have nothing from him. I have written him again to-day.

Julia did not present herself as expected on Saturday. I am quite impatient to know what new cause has detained her. The boy will bring me information upon his return with the mail, I suppose.

Yours, etc.,

JOHN TYLER.

[TO ROBERT TYLER.]

March 5, 1849.

MY SON: . . . The cast of the cabinet, so far as we are yet informed, is decidedly federal. But I suppose that old distinctions are passing away, if they have not already departed. Clayton is a man of great policy, but decidedly federal. For the settlement of our territorial difficulties we must look to the territories themselves. They must organize governments for themselves as Congress will not do so for them.

All here are well, with the exception of colds. I shall try to send this by the way of Norfolk. Love to all.

Your father,

J. TYLER.

CHAPTER XVI.

1847-1853.

"In his retirement he (Mr. Tyler) enjoyed the confidence of his countrymen in a high degree."—A. H. STEPHENS, *Pictorial History U. S.*, p. 479

MR. TYLER IN RETIREMENT.—ANECDOTES OF HIM.—OVERSEER OF THE ROADS.—THE WEBSTER DINNER IN 1847.—THE CONTEST OVER THE TERRITORIES.—STATE OF NORTHERN SOCIETY.—VIOLENT ANTAGONISM.—COALITION OF ABOLITIONISTS, ANTI-MASONS, AND VAN BURENITES.—MR. TYLER ON THE WILMOT PROVISIO.—CONGRESS IN DECEMBER, 1849.—CALHOUN'S SPEECH.—WEBSTER'S 7TH OF MARCH SPEECH.—THE COMPROMISE OF 1850.—MR. TYLER'S LETTER TO FOOTE.—LETTER ON THE HUNGARIAN QUESTION.—CLAY'S DEATH.—ELECTION OF FRANKLIN PIERCE.—CORRESPONDENCE FROM 1851 TO 1853.

AT the close of his presidential term, Mr. Tyler took up his residence once more in the county of his birth. His new home, which was purchased from Collier Minge, son of the friend of his youth, was situated three miles from Greenway, on the banks of the James. It comprised an estate of twelve hundred acres. The house stood about a mile from the river, and from it sloped the wheat and corn-fields to the waters. To "Sherwood Forest,"—for that was the name he gave to the place—Mr. Tyler retired, and there he lived until his death, surrounded by his domestics and the new family of children that grew up to interest him.

Not one of all his predecessors had had to endure a tithe of the difficulties as had fallen to his lot during his administration of public affairs. Mr. Tyler was too great a man to hide the truth from himself. In the latter part of November, 1845, he wrote to his son that "everything he desired in the future was to have his motives and actions properly vindicated." "I am altogether too sensible," said he, "of the injury done me by the combined assaults of the Whig and Democratic press, to believe that I can sufficiently recover from it for many years, if ever; and all that I should ask of any man would be, that as far as in him lies he

would represent me to the public as, I feel, justice—naked, sheer justice—would require.” And now that the passions of his day have passed away, and the substantial and monumental facts of Mr. Tyler’s administration still remain in the destruction of the monopoly of the United States Bank, in the Ashburton treaty, in the annexation of Texas, in its reputation for honesty, economy, and the uncommon ability with which the several departments were directed, the words of Charles Dickens ring sweet and loud that “*he became his station singularly well.*” There were other foreigners besides Dickens, who, free from every bias, were able to judge of Mr. Tyler. The very looks of the man, as he stood surrounded by the first men of his day, struck the beholder as indicative of “honest purpose and firm will.”¹ The time came when the bitterest enemies of Mr. Tyler in the South would not deny his ability and his honesty “in the best and fullest sense of these words.” And not a few thought that “he was the last fit man who sat in the presidential chair of the United States.”²

In the fierce excitements of the Mexican war Mr. Tyler, even in his retirement, continued to be the subject of attack from the Van Burenites and the Whigs. In every instance Mr. Tyler came

¹ “I gradually, therefore, edged towards the door of exit, but stood nearly an hour in the reception-room, near the President, and was much interested at seeing, though but for a few moments, most of the leading men of the Union as their names and the States to which they belonged were shouted forth by the attendant in waiting. Many distinguished foreigners also presented themselves, who I had no idea were in the country at all. The President looked, what he really was, a man of honest purpose and firm will. He stood his ground well on more than one occasion, and though public feeling was much against him at one time, I believe President Tyler lived to see the majority convinced of the error of their opinions, and the soundness of his own.”—*John Glanville Taylor’s “Eight Years of Change and Travel in the United States and Cuba,”* p. 79.

² “Mr. Tyler was nominated by the Whigs for Vice-President on the same ticket with General Harrison, and that ticket won. In one month after his inauguration, Harrison died, exhausted by excessive labor and excitement, and Tyler had to take his place. When the great measure of the Whigs, the United States Bank charter, had, after immense efforts, been carried through Congress, he vetoed it. The act, his friends say, was consistent with his openly expressed financial views, though it excited great disgust in the poor Whigs. However, his bitterest enemy will not now deny that Mr. Tyler is both an able man and a gentleman, in the best and fullest sense of the word. From what I have seen, heard, and read of him, I look upon him as the last fit man who sat in the presidential chair of the United States.”—“*Ten Years in the United States,*” p. 110, by D. W. Mitchell.

out triumphant, till the Whigs—but not the *loco-focos*—learned to leave him alone, and his popularity returned with the rush of a tidal-wave.

An anecdote is told of some of the prominent Whigs in Charles City, who had Mr. Tyler appointed overseer of one of the roads. The story, as it went the rounds of the papers in 1847, said that this was done to mortify and humble Mr. Tyler. But Mr. Tyler himself always did the Whigs justice, and explained the appointment as arising from the circumstance, that there lived on the road assigned to his care only himself and an old lady incompetent to discharge the duties. However, the Democrats made a great pother about the matter.

Mr. Tyler commenced his duties with the same faithful purpose as had ever characterized him. The road being very undulating, he resolved to cut down the hills, fill up the ravines, and make it an example to the State. He summoned all the hands in the township. Day by day he plied himself to his work, the law of Virginia specifying no limited time for working on the roads. The effect of his diligence was seen, not only on the road, but in the mournful silence that prevailed on the various plantations, which were chiefly owned by the Whigs. It was harvest times, and the wheat, as it bowed its golden head in the violet atmosphere of Virginia, demanded prompt attention. But this it could not get. The hands were all upon the road. The smiles that lately illumined the countenances of the Whigs turned to dismay. The august justices who had made the appointment repaired to Mr. Tyler's house, and represented to him the state of things. Mr. Tyler replied that the law made it his duty to put the road in good order, and keep it such. The Whigs expostulated. Mr. Tyler's firmness was as unbending as in the troublous times of the Bank. Then the justices begged him to resign, and let the hands go home. But the ex-President said that "*offices were hard to obtain in these times, and having no assurance that he would ever get another, he could not think, under the circumstances, of resigning.*" And so the Whigs had to submit once more to Mr. Tyler's will; and the ex-President, having once more "headed" them, left another proof behind him that a man did not have to be *insulting* in order to be *firm*, and that a gentleman would always be guided, be the question what it may, by convictions of duty.

Another anecdote may be given to show how he could win men in spite of themselves, and illustrating very well what Hon. John Goode says in a recent letter concerning the reputation of Mr. Tyler "as the best off-hand speaker of his times."

A dinner was given at Charles City courthouse, at which the prominent Whigs of Mr. Tyler's county were present. It should have been remarked in a prior connection that the influential slave-owners generally of Virginia were Whigs, and had voted against Texas and for Mr. Clay. The Texas Democracy were intrenched in the Western counties of the State, which contained a large proportion of non-slave-holders. However, Mr. Tyler was invited to the dinner mentioned, and there he and the Whigs confronted one another. The Whig gentlemen were reserved, but Mr. Tyler was so full of cordiality in his manner that he had half-disarmed all enmity ere he was called upon to speak. But when the toast was given in his honor, and he arose to respond, one by one the Whigs fell victims to his silver voice and graceful allusions. In the midst of his remarks, Col. John Stubblefield, one of the most prominent and respectable gentlemen present, enthused with the sentiments of the speaker, whispered to a friend in an earnest but audible tone. "He is right now!" Mr. Tyler heard the remark and knew from whom it proceeded. He instantly turned upon Stubblefield and said: "Right, sir,—right *always* here, sir (placing his hand upon his heart), wrong here *sometimes*," (placing his hand upon his head).

This was said so unaffectedly that the most prejudiced were convinced that whatever might be said of the politics of Mr. Tyler, there could be no question as to the soundness of his motives.

President Tyler owned a horse called "General." He got him from General Chalmers, of New Kent, as a fee in some law case years before. The horse was a fine one, and did full duty for twenty-one years. In his old age he was turned out to graze, and never again put to work. When he died, Mr. Tyler buried him in the grove at Sherwood Forest. He put up a wooden slab to his memory, and inscribed upon it the following epitaph:

"Here lie the bones of my old horse, 'General,'
Who served his master faithfully for twenty-one years,
And never blundered but once—
Would that his master could say the same!"

But there was another incident of Mr. Tyler's early retirement very much to his advantage. In the spring of 1847, Mr. Webster made a tour of the South, possibly with a view to the presidency in 1849. A banquet was given to him in Richmond, but the prominent Whigs, with Mr. B. W. Leigh at their head—(Mr. Leigh had been *pro*-instructions up to 1836, and *anti*-Bank up to 1841; then *anti*-instructions after 1836, and Bank after 1841)—omitted to invite Mr. Tyler, who was reported to have gone up to Richmond to meet him. This so disgusted the Democrats that they also staid away, and the Democratic papers, glad of any chance to hit the Whigs, extolled Mr. Tyler to the skies, and contrasted his conduct in going to Washington to testify for Mr. Webster before the committees with the "pusillanimity" that ruled the Whig party. Thus Mr. Tyler won another victory.

[TO ROBERT TYLER.]

SHERWOOD FOREST, *March 18, 1847.*

MY SON: Your letter from Washington gave me both pleasure and pain. The first, because you and your family had progressed in safety thus far homeward; the last, because you did not call here upon your return. I was anxious to have learned from yourself and Priscilla the incidents of your Southern trip. We have left home, except in visiting a neighbor, but twice since we saw you—once for a week to Williamsburg, on a visit to Mr. Waller and Lizzie, and a short time since in Richmond on the occasion adverted to in your letter.

You are correct in supposing that our visit to Richmond—for Julia accompanied me—was made under no expectation of seeing Mr. and Mrs. Webster. I had some time before received a letter from Mr. Webster apologizing for not having visited me this spring, according to a previous arrangement, and urging a long detention in Washington as the cause, which had rendered the season so far advanced as to induce a termination of his journey at Charleston, instead of New Orleans, as originally designed. I concluded, as well from that as from a misconstrued paragraph in the *Enquirer*, that he had passed on, and therefore performed the trip to Richmond on a mere matter of business. Mr. W. arrived the evening after we did. The next morning I addressed him a note, stating that we were in the city accidentally together, and that if we did not see each other, Mrs. T. and myself wished himself and Mrs. W. a pleasant trip, in full anticipation of the pleasure of seeing them under our own roof, as he had promised, the approaching fall. He, in company with Miss Seaton, immediately and promptly visited us. Mrs. W. was sick, and under the treatment of Doctor Carmichael. We made no return visit. So much for an affair of which the papers have somewhat teemed.

My non-invitation to the dinner neither surprised or mortified me. In truth, I did not expect such an act of politeness at the hands of the Whigs of

Richmond, with my old colleague in the Senate, B. W. Leigh as chairman; and most assuredly had it come, I should not have attended the dinner. The matter seems to me to be worthy of no further notice. I am willing that Mr. W.'s friends shall believe that I went to Richmond to meet him. It will do me no harm. The failure to give the invitation has disgusted many. But yet, be you assured, that I may well exclaim with Emmet: "Let no man now write my epitaph." When the Mexican Gulf shall be crowded with innumerable ships, freighted with the rich productions of Texas, both coast-wise and outward, meeting other ships loaded with the freight of all the world to give in exchange, then will it be seen that my labors were not in vain to advance the highest destinies of the country.

Alice reached us a few days ago from Pittsburg, looking very well. Yesterday we all went to see Mary, and to dine with her. We found her quite unwell, having eat something a day or two before which greatly disagreed with her. . . .

With love to all, your father,

JOHN TYLER.

During all the fearful period that followed his retirement up to the election of Lincoln, Mr. Tyler held no official station. But through his son, Robert Tyler, in Philadelphia, Henry A. Wise in Virginia, Caleb Cushing in Massachusetts, Charles A. Wickliffe in Kentucky, Commodore Stockton in New Jersey, and many others, his influence was felt in the world. On the slavery and economic questions he saw the Democratic party assuming day by day the positions which he had taken long years before as a member of Congress. Mr. Tyler had no sympathy with those zealots of the South who made slavery out to be a "blessing"—Federalists and Adams men once, now the advocates of impracticable doctrines. His writings are not disfigured with the vulgar and wicked passions of the times. He believed that the South did many things that were wrong and ill-advised, but he could not be blind to the fact that all the aggressions of the South *were due to the aggressions of the North*. It could not be denied that those who maintained, *for a purpose*, that slavery was a "blessing *per se*" had much to base an argument upon in the condition of things to the North.

Writers of a certain order have talked about a progressive "slave-power," dating its rise from 1833. It is the greatest piece of folly ever maintained. The "slave-power" in our government was never more ascendant than in the Revolution. Mason's Bill of Rights, which formed the model for all the States, spoke about the inalienable rights of man, when at the time more than 200,000

negroes were held as slaves in the State. The truth is, George Washington¹ and his associates had very ordinary notions of the political rights of the slaves, while the people of New England cared nothing about them at all. The treaty of peace with Great Britain, signed by John Adams, spoke of *negroes* as property, and New England delegates, in the convention of 1787, readily exchanged the inalienable rights of man, by a bargain with Georgia and South Carolina, for a control over the commercial laws, conceding the slave-trade for twenty years. This was all the more discreditable since New England, having no slaves, ought to have been better able than Virginia to sympathize with the rights of man. The "slave-power" steadily decreased from this time. All the movements against slavery and the slave-trade took its origin down to 1833 in Virginia, or with Virginians.²

The Abolitionists took their rise about 1833, and were as purely an accident as the "anti-Masons," "Free-lovers," or "Know-nothings." Their doctrine was one of *force*. So hateful were they to the Northern people that they were at first mobbed and regarded with universal abhorrence. This fact contains the best proof that the policy they advocated was not a natural *progressive* principle in society. The "Know-nothings" are now regarded with general contempt, and yet we know that for the time their success was far greater than that of abolitionism.

As long as the Abolitionists were left alone by the politicians, they were harmless. But the matter assumed a different aspect when the unscrupulous political hacks seized upon their weapons for their own selfish ends; ultimate success was guaranteed in the diversities of Southern and Northern pursuits, and the old lines of division.

¹ Washington freed his slaves by will; but he had no children.

² Virginia, as a colony, passed twenty-three acts to stop the slave trade. She was the first nation in the world to prohibit it. In 1782, she passed the act permitting the manumission of slaves. It was under her presidents that the slave-trade was declared piracy. It was C. F. Mercer, a Virginian, that secured the passage of a resolution that proposed to concede to Great Britain the mutual right of search of vessels suspected of slave-trading. Throughout the period, from 1776 to 1832, the subject of emancipation engaged the attention of Virginians. Judge St. George Tucker and Thomas R. Dew, among others, proposed schemes for emancipation. Virginians instituted the African Colonization Society. In 1833, Thomas Jefferson Randolph urged emancipation before the Legislature. And that same year John Tyler proposed to abolish the slave-trade in the District.

The men who now came to the assistance of the Abolitionists, with their doctrines of dissolving the Union and treating every Southern man as a devil in human form,¹ were the anti-Masonic party—men whose characteristics we have noted before; adepts at the wires, without political principle of any kind beyond the suggestion of the moment, ready for a purpose to ape strict construction, but at heart Federalists in the sense that Federalism meant any thing and everything. Even they for some time made little progress with the movement, so plain to every mind was the unconstitutional and unchristian nature of the attack. They set up their papers, and they organized their societies, and they adopted every expedient through newspapers and the mails to fill the Northern mind with horrible ideas of Southern humanity, and the Southern mind with jealousies of the Northern people. But they waited and watched; and soon another hateful and odious ally was added to the cause. This was the “spoils” partisans of Mr. Van Buren, whom the Texas question had expelled from the Democratic party. Never did more congenial associates get together—creatures spawned in the curse of selfishness, nourished in intrigue, and full of envy and hatred towards everything better and nobler than themselves—just the elements for an “agitation party.”

The state of Northern instincts at this time was most favorable to this combination. An immense tide of immigration from Europe had set in, and the North was speedily filled with turbulent characters of every nationality. The discovery of gold in California brought about a state of things unexampled in history.² Even in the best days of the Republic, the New England politicians had incurred the odium of reproach from their own countrymen. With all the advantages that commerce brings, it cannot be denied that the old prejudices of Edmund Burke were founded on

¹ Thus Garrison's paper flew at its flag-staff the declaration that the “Constitution was a covenant with death, an agreement with hell.”

² “I hear somewhat obscurely,” wrote Mr. Tyler to his son, on February 21st, 1847, “that your partner, Holland, goes to California, and yet you say nothing of it. That gold abounds there in great quantities cannot be questioned, and that the valley of the Sacramento and San Joacin is the most delightful country in the world, is undoubtedly true; but the absence of law converts this paradise into a wilderness of crime; nothing can stay the utter prostration of morals but a combination of the good against the wicked. Holland would add his efforts to those of others, but he must be prepared to administer lynch-law freely.”

a certain degree of truth.¹ He who has studied the history of the paper-money wars that disgraced the north-east section from 1690 down to Shays' Rebellion must form an indifferent opinion of even the effects that the free-school system was able to bring about in such a society. John Adams denounced the lower classes as no better than slaves, while Gerry, in 1787, described the Massachusetts Legislature as full of prison birds, or men who ought to have been there. Even as late as 1832 Rhode Island had to bear the reproach that her Legislature had, with full knowledge of his character and pursuits, sent a United States senator to Washington whose pocket book reeked with the accumulations of the foreign slave-trade. I need not refer to the evils of the American system, which, under pretense of being a "national" idea, found its chief support in New England, and was, therefore, the most sectional of all systems. It became the parent of the "spoils system," till finally the old families of the North, who had had once considerable political influence, withdrew almost entirely from politics. The representatives in Congress at length became naught but a mob, almost incapable of any magnanimous idea, and legislation on all subjects became a bargain between different rival interests. Strikes and riots became the order of the day.

The addition to the mass of a flood of foreigners, who knew nothing of the checks and balances of the government, converted the whole North into what was more or less a mob. "King One" ruled in Europe, "King Many" ruled the free-States. The idea was the same. More and more they applied the maxim, the "majority must rule," to the country; and the Abolitionists took advantage of it to "down" the South. The old statesmen of the North, like Webster and Everett, grew each day more old foggyish in the opinion of the times. The Western States finally seized upon the government; and when the war came on, the South be-

¹ "Do not talk to me of a merchant; a merchant is the same in every part of the world—his gold his god, his invoice his country, his ledger his Bible, his desk his altar, the exchange his church, and he has faith in none but his banker."—*Prior's Life of Burke*, i., p. 374. R. H. Lee said that "the spirit of commerce throughout the world is a spirit of avarice." "Commerce," said John Tyler, Sr., "is certainly beneficial to society," but "it produces also what is called, in polite circles, citizens of the world,—the worst citizens in the world,—who, having no attachment to any country, make themselves wings to fly away with from impending dangers."

held with horror one party North, the Democratic, the best and purest, running after Douglas, and the other party after Abraham Lincoln, of Illinois, true demagogues, if nature ever made such, the one the representative of "squatter sovereignty," and the other of sectional passion. And in the eager race, behold Massachusetts, with all her arts and sciences, deserting her own polished Everett, Webster and Winthrop, and worshipping at the shrine of one without grace, education, or more than ordinary ability.¹

And now the floods of sectional billingsgate deluged the land. The northern orators of that day could not have been very agreeable people. They knew nothing about the actual condition of things at the South,² and talked in no very pleasant strains about Southern oligarchy, Southern aristocrats, Southern slave-power, etc., etc. They never stopped to enquire whether they were not affording the few Southern extremists the keenest weapon, when they represented the proud, wealthy North as dominated by a *few* slave-owners.³ Certainly it was not very complimentary to themselves. The Northern papers opened their arguments with "slave-drivers," and closed them with "slave-breeders." Every Southern

¹ "The elevation to power at such a time of a man so unknown as Mr. Lincoln—weak, . . . a man of expediencies, . . . was one of the evidences that public interests were not in the hands of the people."—*Fears for Democracy*, pp. 192-'3, by Charles Ingersoll, of Philadelphia. "The new President was a person of scarcely more than ordinary powers, with a mind neither cultivated by education nor enlarged by experience in public affairs. He was thus incapable of any wide range of thought, or in fact of obtaining any broad grasp of general ideas."—*Origin of the Late War*, p. 434, by George Lunt, of Boston. "So obscure had been his life previous to his elevation to the Northern presidency, and so few and vague had been the outward symptoms of his mental power and disposition, that public curiosity watched his progress with more than common interest."—*Howison's History of the War*, *Southern Literary Messenger*, Vol. xxxiv., p. 349.

² "The South was the same South, the North was another North; its interests, habits, occupations, all had changed. The plantations, rural life, and patriarchal existence of the South, not a Northern man in a thousand had ever seen or wanted to see, still less had formed any idea of. Our astonishment knew no bounds when, in the civil war, the feelings of almost all the world were found to be with the slave-holders; but the great pulse of mankind beats generously and against the wronger."—*Fears for Democracy*, p. 180.

³ "In considering the proposition of the population pecuniarily interested in slave property, those having expectations must be taken into account; and when this is done, I believe that it will be found that three-fourths or more of the native born citizens are thus interested."—*Ten Years in the United States* (London, 1862), p. 63, by D. W. Mitchell, a resident of Richmond, Virginia.

man was drawn with a whip in one hand and a dagger in the other.

The Southern orators retorted with a vengeance. They ransacked all history to prove the degenerate and vicious character of the Yankee. They vaunted that they were the only true freemen. Burke had long ago remarked, upon the free character of the Southern whites, as far more confirmed than that of the Northern. Washington wrote to Madison, in 1787, that the East was much more productive of monarchical ideas than was the case in the Southern States. In the North the old idea still ruled in the form of the mob,—that was the only difference.

The Southerners, when warmed to the subject, told of the old Puritanical character which wanted to direct this government. They reminded the New Englanders of their Witchburnings and cruel treatment of the Indian tribes; of their Blue Laws which made it a sin to kiss a babe on the Sabbath day. They complained of their "factory manners," insulting to true freemen; of their hard and grasping character, which made them oppose every measure whose influence extended beyond New England; of their intrigues to yield the Mississippi; of their constant opposition to every measure calculated to advance the national glory; of their hatred of Louisiana and Texas and Florida; their nullification within the Union of the laws of embargo, and the laws for restoring fugitive slaves, so shameless as contrasted with the honest attitude of South Carolina in 1833, who was, after all, only maintaining the principle, above all Unions, of the American Revolution, that no State should be taxed without its consent;¹ their opposition to the

¹ "What you say about the quarrel in the United States is sophistical. No doubt taxation may, and perhaps in some cases must, press unequally, or apparently so, on different classes of people in a State. In such cases there is a hardship; but in the long run the matter is fully compensated to the overtaxed class. For example, take the householders in London, who complain so bitterly of the house and window taxes. Is it not pretty clear that, whether such householder be a tradesman who indemnifies himself in the sale of his goods, or a letter of lodgings who does so in his rent, or a stockholder who receives it back again in dividends, or a country gentleman who has saved so much fresh levy on his land or his other property,—one way or the other it comes at last pretty nearly to the same thing, though the pressure for the time may be unjust, vexatious, and fit to be removed? But when New England, which may be considered a State in itself, taxes the admission of foreign manufactures, in order to cherish manufactures of its own, and thereby forces the Carolinians, another State of itself, with which

only two national wars. They told, too, of the ten thefts North to the one South; of the numberless divorces and loose divorce laws of the North, the Free-love Societies, the "Know-nothings," and the many other strange organizations taking their origin there.

When the Northern orator reproached the South for its occasional duels, the Southerner retorted on the North for its prize-fights and prize-fighters, some of whom were actually sent to Congress. Carlyle's authority was appealed to, who somewhere asserts that the best sign of a nation's character is the men it produces. Yet, "slave-breeders" as they were, the South had produced the best minds of the country; and even John Quincy Adams admitted, in 1820, that the North had no man in Congress to compete with either James Barbour or Henry Clay. Nor did the men of the South fail to remind the North that all the best work of the Fathers was the product of Southern and slave-soil—the Virginia Constitution (Mason), laws of descent, religion, etc.

In a word, the Southerners pretended to regard the North as the sink-hole of European corruption. Under the cry of Southern domination the game of the North was to rule the Union without checks or balances. The North had always had the domination of the Union; New England, in fact, had had twelve votes in the Senate when the solidarity of her interests entitled her only to two. If more Southern men had filled office than Northern men, the North had had the benefit of talent which they did not possess. It was in the economic line that the North had exercised an uncontrolled authority, and this was the true test of domination. The fact was that the "slave-power" had steadily declined since the Revolution. The nation which, in the Treaty of peace in 1783, did not scruple to pronounce the *negro* property, in 1814 in the treaty of Ghent limited this character to the *slave*.

The contest assumed every shape that ingenuity could devise. All the evils under which the South labored were referred to slavery. No account was taken of the difference of race, the state

there is little intercommunion, which has no such desire or interest to share, to buy worse articles at a higher price, it is altogether a different question, and it is in fact downright tyranny of the worst, because of the most sordid, kind. What would you think of a law which should tax every person in Devonshire for the pecuniary benefit of every person in Yorkshire? And yet, that is a feeble image of the actual usurpation of the New England deputies over the property of the Southern States."—*S. T. Coleridge's Table Talk, April 10, 1833.*

of society, and the difference of crops. Exactly the same difficulties exist in the South to day, yet no one refers them to slavery; only with the difference where six negroes worked before the war only *one* does so now. The *clean* crops exhaust the soil more than the *root* crops of the North. The Southerners were accused of being haughty and domineering. Yet those who live here know well that there is more equality among the Southern whites than among the Northern people. How, then, the representatives of a people with whom there could be no greater crime than pride could be more insolent than the representatives of a community who too often bought their way to Congress, is more than history can account for.¹ The misapprehension, indeed, might be found in the superior talents of the South, than which nothing naturally could be more galling to a "free people," who should have seen better fruits of their *superior* civilization in the men they selected as representatives. This is your philanthropy, said the Southern man, when by law you drive the free negro from your own States, and represent us, the sons of Revolutionary fathers, as "outcasts" and professional "slave-drivers." Giddings thought that the wholesale slaughter of the Southern people was too good for them. "Let abolition come," said Adams, "no matter though five millions of the South perish. Five hundred millions, let it come!" And yet these amiable persons were extolled as statesmen by a certain class at the North. Think of a statesmanship which would, as Lunt says, "consent to the absolute demolition of one-half the human race, and with the same reason to that of nearly the whole," for the domination of the earth by a few million slaves.

¹ "A man living amidst his own slaves, his comfort, his wealth, his general welfare, depending entirely upon them, they too being a careless, lazy, whimsical sort of human beings, requiring much indulgence and humoring, is compelled to think, to control his temper, to study human nature in general, and that of his people in particular, to an extent to which people in what may be called the free States have no experience. The more he appeals to society, the more he uses or orders the cowhide, the more uncomfortable he makes his own life, besides finding that at last it don't pay, and is getting himself a disagreeable reputation among his neighbors."—*D. W. Mitchell*, page 182. Mr. Tyler wrote to Mr. Seawell (see vol. i., page 437): "I trust all will go on smoothly in the harvest. My plan is to *encourage* my hands, and they work better under it than from fear. The harvest is the black man's jubilee." Negro slavery, unjust as it was, acted upon the Southerner as a mental training analogous to that of military discipline. That there were violent men in the South cannot be denied, but that the Southern people were ever in anything more violent than the North only creates a smile.

Alas ! all this was a sorry business between people living under the same government. Nor could the South fail to see that, hand in hand with this Northern philanthropy, went the fixed resolve to put the old tariff screws on the South, and to perpetuate the rule of anti-Masonry and *loco-focoism*,—the most cursed “spoils” combination that ever disgraced a people. Certainly, insults and coarsest vituperation were not the means to induce the Southern people to surrender their slaves.¹ The danger was that it would identify slavery with the pride of the South; and it did. It became no longer possible for any Southern statesman to express himself freely on the subject of slavery, since his philanthropy would serve, in the hands of the Abolitionists, as a dagger to stab his own people to the heart. And yet some persist in representing the Abolition movement as a *natural* step in the progress of the nation. Surely, true progress takes a different and more peaceable means to accomplish its beneficent intentions.

The anticipated acquisition of territory from Mexico, by means of the Mexican war, early served the purpose of the combination of anti-Masonic and Van Buren spoils-hunters and the Abolition Union-breakers. Assuredly not a Territory of the whole West, thus acquired, would ever have acknowledged the banner of slavery if left to the peaceable forces of colonization. But the North made haste to inform the South of their superiority, and roused the worst antagonisms by galling the pride of the latter. A *loco-foco* Democrat, named Wilmot, took occasion in the outset of the war to move, as an amendment to the bill to provide the President with \$2,000,000 for the anticipated treaty of peace, a proposition that no after-acquired territory should permit slavery within its limits. This was forced upon the attention of the nation in arrogant language that might have become the circle of a manufacturing establishment, but which certainly was not calculated to please Southern ears, unaccustomed to such habits of command. Moreover, the South had furnished four soldiers for the war to the North's one.

¹ There is strong human nature in Falstaff's words : *Poins*. Come, your reason, Jack, your reason. *Falstaff*. What, upon compulsion? No; were I at the strap-pado, or all the racks in the world, I would not tell you on compulsion. Give you a reason on compulsion! If reasons were as plenty as blackberries, I would give no man a reason on compulsion, I.

Immediately a frightful contest arose. The South claimed the poor privilege of transporting their slaves into the Territories below 36° 30', and holding them there until the Territory should itself pass upon the subject of slavery. But the anti-Masons, with Seward at their head, represented the struggle as an "irrepressible conflict between opposing and enduring forces," and hesitated not to announce that "either the cotton and rice fields of South Carolina and the sugar plantations of Louisiana would be ultimately tilled by free labor, and Charleston and New Orleans become the marts for legitimate merchandise alone, or else the rye fields and wheat fields of Massachusetts and New York must *again be surrendered* by their farmers to slave culture and the production of slaves, and Boston and New York become once more markets for trade in the bodies and souls of men."¹ This ridiculous statement, whose latter alternative was an insult to the Northern people themselves, made a profound impression on the masses of the North, who, never at any time of their history very remarkable for their conceptions of government, were apt to be influenced by just such clap-trap phraseology. Mr. Lincoln afterwards formulated Seward's language thus: "I believe this government cannot permanently endure half slave and half free."² "It need hardly be said," says Lunt, "that the allegation was contradicted by the the experience of eighty years, or that it was the assumption of a fact, beforehand, which could become one in reality, by the exertions of the very persons who assumed it, and were *laboring* to bring it about."

In the contest over the Wilmot Proviso, Mr. Tyler very well expressed the feelings of the South in an anonymous letter to the *Portsmouth Pilot*, from which the following is an extract:

What is it that excites in the Northern States such distrust of the South as shall produce on their part a desire to exclude the Southern States from an equal participation in the full benefits of Union? We live under a political partnership, in which each partner is alike in interest, and yet to exclude the Southern States by positive enactment from entering upon the possession of the territory of the Union, along with their property, abrogates the principles of equality, and annuls the very foundation on which the government rests. To render this perfectly clear, we will suppose that every State in the Union was slave-holding, and that a majority of them, upon the acquisition

¹ Mr. Seward's speech at Rochester, New York, in 1858.

² In his speech at Springfield, Illinois, June 17, 1858.

of new territory, should formally resolve that one of the States should be put under the ban, that all the citizens of every other State should be permitted with his domestics to settle in the territory except those of that particular State. What would or could be said in justification or excuse of a proceeding so tyrannical and so unjust? and yet no particle of difference can be found to exist between the supposed case and that of the minority States at this moment. If it was a money instead of a land-fund which was the subject of dispute, there sits not a judge on any bench in christendom who would not condemn the proceeding. But this is not all. The Wilmot Proviso is at this moment nothing less than a gratuitous insult on the slave-States. It seeks to stamp upon the records of the country an anathema and an edict which is unnecessary and wanton. No man doubts but that California and New Mexico will be free-States whenever the proper time arrives, if it has not already arrived, for them to form State constitutions. Their territory is already parcelled out to a great extent under Spanish and Mexican grants to those who do not and never will hold slaves; and the flow of the population from the free-States out-numbers that from the slave-States fully ten for one. What Southern man, then, would be so reckless of his own good as to carry thither his domestics with the positive certainty that at an early day he would be deprived of them by the legitimate action of the people of the Territory? California has in fact already spoken as far as she could speak, and her voice of exclusion of the negro race has already been uttered. Whether her claim to be now admitted as a State into the Union be recognized or not, her determination will in no manner change. The Wilmot Proviso then (a name for ever accursed, if evil, the greatest of all evil, come out of it) is to the free-States an abstraction, while to the South it is a reproach and an insult of the deepest dye. How reckless is that spirit which would adhere to it on the one hand; how degraded that which would submit to it on the other? The slave-holding States either stand on a footing of equality with the non-slave-holding, or they are inferior and degraded. Better by far the language of the Abolitionists, in their demand for secession, than that of the Free-soilers for exclusion and absolutism. The first admits by fair inference the equality of the States, the last denies that equality, and adds gratuitous insult to aggression.

A letter written by Mr. Tyler, in 1847, is very interesting:

[TO ALEXANDER GARDINER.]

SHERWOOD FOREST, CHARLES CITY COUNTY, VA., *March 2, 1847.*

MY DEAR SIR: Your letter to Julia, which she received upon our return from Williamsburg,¹ where we were all last week, and in which you express a desire to have my views on the leading topics of the day, can only be answered by me in the briefest manner. Nor is it necessary, upon the majority of those topics, to do more than refer you to the resolutions and preamble lately adopted by a portion of your fellow-townsmen in their meeting at Vauxhall. They embody the sentiments of true patriotism, which evermore admonishes us that, in a conflict with a foreign power, it is the duty of one

¹ See the letter, page 457, *ante*.

and all to stand by the country. Even if the war be improper in its inception, there is no other mode by which we can get out of it with honor. Mr. Calhoun may see in it a hopeless struggle, and hence his desire to fall back upon and fortify a line, or he may be alarmed at Wilmot's Proviso, and seeing no motive for an expenditure of blood and treasure on the part of the slave-holding States, when all their sacrifices will but enure to their own undoing, he may at once be disposed to narrow down the conflict to the occupancy of a mere line. And such also would be my feelings if I could bring myself to believe that Wilmot's Proviso speaks forth the settled policy of the non-slave-holding States. Not being able to draw so unfavorable a conclusion, I go for whipping Mexico until she cries enough. Reflect how that proviso operates on the present state of things. It is calculated to produce a paralysis over fourteen States of this Union, by substantially saying to them, "You may toil and bleed and pay, and yet your toil and blood and money shall only be expended to increase our power (that of the non-slave-holding States), you and your property being for ever excluded from the enjoyment of the territory you may conquer." Nor does it only affect the present, but looks to the future. What motive can the slave-States have to resent any wrong perpetrated by Great Britain which may lead to war, seeing that the acquisition of the Canadas would only bring along with it greater power to destroy them? In every view in which I can regard it, I consider it anti-American and destructive. Climate should be left to determine the question of slavery, as it will most assuredly. It has already abolished it as far as Delaware, and if left to work out its results, will, at no distant day, produce similar effects on Delaware, Maryland, and Virginia. But to get up a contest between the sections for the balance of power, is to render us in a foreign war the weakest nation of the world. These are some of my reflections on that proviso. Everything else in its present or future bearing is but a mote in the sun's ray; that the cloud, portentous and gloomy.

The expulsion of Ritchie from the Senate was extremely unwise. That, united to his opposition to the war, has placed the friends of Mr. Calhoun at great disadvantage. I incline to think that they will in the main fall back upon the body of the Democracy. Thus have you, my dear sir, some of my notions of matters and things. Whether they are worth the reading or not, you will determine.

With best love to the family. Yours truly,

JOHN TYLER.

When Congress met in December, 1849, it at once seemed to approximate a condition of anarchy. For three weeks the House wrangled over the choice of a Speaker, and no sooner was it organized, than the contest was continued in a more violent manner than ever over the subject of the Territories. General Taylor, in his annual message of December 24, 1849, recommended to Congress to admit California as a State, and to admit the other Territories immediately on their forming themselves into States. On the 29th of January Mr. Clay introduced his compromise res-

olutions, and on the 13th of February Mr. Foote, of Mississippi, moved to refer all the pending documents on the subject of slavery to a committee of thirteen.

On the 4th of March, Mr. Calhoun's views were delivered in the Senate. His speech was in manuscript, but glowed with that wonderful fire which burns only on the altar of true genius. He was himself in too feeble a condition to address the Senate, but he was present, and Mr. Mason, of Virginia, read what Mr. Calhoun had written on the crisis. The arraignment of the North,¹ made in this speech of Mr. Calhoun, was just and severe, and the terms were vivid in which he presented the lust of power which had ever characterized that section. But when he wandered from the true line to defending slavery as a "blessing," and began to quarrel with the ordinance of 1787, and speak about the balance of power and the adoption of an amendment (a dual executive) to the Constitution, which should for all time preserve that balance, he appeared to Mr. Tyler to advocate what was manifestly absurd and impracticable. All that the South wanted was security and deference to her constitutional rights. The South could acquire no further territory, and was willing to acquiesce in the decrees of nature. The fugitive slaves who were demanded of the North were few indeed. But when the North undertook to say that the South should not even have the abstract right of transporting slaves into the Territories like any other property, and the Northern States by "personal liberty" bills closed their prisons to a law of Congress enacted in pursuance of the Constitution for the rendition of fugitive slaves, and even went to the step of encouraging by legislation the stealing of slaves by the abolitionists,—all the time employing the most opprobrious terms against the Southern people,—then the question became one of *honor*, not of interest, as some treated it. It was all very well to talk of a "higher law," and conscience to excuse the continued outrages on what was a solemn compact between equals; but an honest man would withdraw entirely from a Union which he could not respect, and save thus both his conscience and the public faith. Massachusetts, however, which led the States in the New State-rights doctrines, never acted on this suggestion. Indeed, of all the States none ever put the theory of State-rights more radically in practice.

¹ I mean by the "North" the tendency which at length got the upper hand there.

Yet, at all times in her history, her very State-rights was Federalism of the worst order, since it was never founded on *principle*, and only resorted to for the sake of the most interested expediency. The State-rights of Massachusetts, from the Funding times down to her numerous nullification resolves on Texas, was that of the *mind*, not of the *heart*. Just the reverse with Virginia, who fought for local self-government in the Revolution, and consistently cherished the principle in her bosom until her subjugation in 1865.

[TO ROBERT TYLER.]

SHERWOOD FOREST, *March 12, 1850.*

MY SON: My attention had been drawn to the proceedings of the Democrats of Philadelphia before your letter reached me. Without at the time knowing who was the author of the resolutions, I had praised them in conversation with others, and recommended them to general perusal. They are precisely what they should have been. The Democratic party can only hope for success by discarding from among them the Free-soilers, Abolitionists, and all such cattle. Let the Whigs, if they please, court them, and take them to their embraces; but let the true lovers of Union repudiate them as unworthy of their association. They do, indeed, deserve the deepest curses of the patriot, for having put in jeopardy the noblest and fairest fabric of government the world ever saw. When I think of it, all the milk of my nature is turned into gall. I hope that there is intelligence and patriotism enough in the community to baffle their narrow and illiberal designs.

Calhoun's speech does him no credit. It is too ultra, and his ultimata impracticable. How is agitation to be quieted, or an amendment to the Constitution to be obtained? And how, above all, can it be expected that the North will concede a power which has grown up under the Constitution, and by our own concessions? How idle to complain of the ordinance of '87 as one of the causes of disturbance to the equilibrium of which he complains. That ordinance is our own, and was pre-existent to the Constitution; and it is idle for us to complain of it. In short, I regard his speech as calculated to do injury to the Southern cause, and in that view I regret its delivery. Webster's speech has not yet reached me. . . .

We passed an agreeable day and two nights at the Governor's.¹ There was a decided wish with the crowd on the 22d to have me address them, but to be silent seemed to me to be most politic. Gen. Taylor was quite communicative,—mistook all the demonstrations of popular feeling as evidences of his popularity, in all of which he was in great error.

Your father,

J. TYLER.

On the 7th of March, 1850, Mr. Webster, who was also in Congress, made his celebrated "Union speech." Mr. Webster had

¹ John B. Floyd.

reached an age when ambition must have ceased to have any influence upon him. His heart was great and good, and in this crisis he raised himself to a height of patriotism that will ever endear him to every lover of peace and humanity. His speech was the crowning act of his life, and in making it he seemed to cast aside all those fetters of prejudice engendered by his local associations, and to rise as near as man can to his God. He declared for justice to the South.

In the spirit of that mutual friendship that ever prevailed between himself and Mr. Tyler, he enclosed to the ex-President his speech upon the slave question. The heart of Mr. Tyler went out in complete sympathy with Mr. Webster; and on the 16th of April, 1850, he wrote to his son as follows,—Calhoun having died in the meantime:

[TO ROBERT TYLER.]

SHERWOOD FOREST, *April 17, 1850.*

MY SON: Priscilla's last letter has tended to relieve much of my anxiety concerning you, but yet I cannot feel content to let the occasion pass without urging upon you extreme caution. The weather is still fitful, and a relapse might prove even worse than the first attack. Hereafter, as the winter approaches, you must wear thicker garments than has been usual with you—and, above all, your feet should be kept dry,—I find that the great panacea against colds, rheumatism, and catarrh. Is not the exposure you encountered during the winter between Philadelphia and Bristol too severe, and does it not indicate the necessity of a translation to the city? These things are well worthy of consideration, and I hope will not be overlooked.

How very cold the spring has been thus far! On yesterday twelve months ago our peas were in bloom, and the fruit trees were clothed in verdure. There is now scarcely a leaf expanding. We are fifteen days later in planting corn, of which I made a fine crop for sale—2,500 bushels—but it sells so low as scarcely to remunerate. My wheat is very promising, and beginning to be talked of. The parcel procured by you is quite promising, and I hope it may prove a good addition to our stock.

I had written thus far when I had to break off, and I now recommence my letter in the midst of a snow storm. A snow storm on the 17th of April! I have never known a similar occasion but once before, and that was, I think, in the year 1816, a year disastrous to the farmer, and causing extensive suffering for bread throughout the country. Corn commanded readily eight dollars for the barrel of five bushels, and in some places, Hanover, for example, ten. You perceive how strongly and with what great intensity my mind runs upon the results of agriculture. It is natural for one to think of that by which he lives. But doubt not that my mind runs chiefly and in its strongest flood upon yourself. I hope to be constantly advised of your condition. Before I drop the subject of family concerns, I must say to you that

Alice is engaged to Mr. Denison. I have received a letter from him, and have replied acquiescence. He is a man of fine talents, and will make his way well in the church should he live. Alice will do well. I should have preferred to see her in more secure circumstances, in anticipation of those contingencies to which all are subject; but we reason darkly when we reason of the future, and so everything may be for the best.

Mr. Webster has sent me his speech on the slavery question in pamphlet with expressions of "cordial friendship." I have replied in a brief letter, putting him right on the subject of Texas annexation. My view of that subject was not narrow, local or bigoted. It embraced the whole country and all its interests. The monopoly of the cotton plant was the great and important concern. That monopoly, now secured, places all other nations at our feet. An embargo of a single year would produce in Europe a greater amount of suffering than a fifty years' war. I doubt whether Great Britain could avoid convulsions. And yet, with these results before him, Mr. Calhoun unceasingly talked of slavery and its abolition in connection with the subject. That idea seemed to possess him and Upshur *as a single idea*. They are gone to their long homes, and have left but few equals behind in all that is calculated to exalt the character of man. But I do but justice to myself in declaring that my views extended to the great interests of the country, and were not confined to a single interest.

With love to Pris. and all.

Your father,

J. TYLER.

So rabid did the "Free-soilers" become that they actually undertook to limit the territory of Texas, which, trusting to the solemn assurances of the United States to protect her interests, had entered the Union. The Mexican war itself could alone be justified by acceding to her claim in its fullest extent, which extended her territory to the Rio Grande, and north from its head-waters to the forty-second parallel, not only comprising what is now Texas, but two-thirds of New Mexico, one-half of Colorado, and parts of Wyoming and Kansas. That boundary had been asserted by Texas as early as 1836, and the nations of the world had recognized her, and the United States annexed her with that boundary proclaimed upon her statute books. True, the United States by the joint resolutions could, as between Texas and Mexico, limit or extend them, but not so when it became a question between this government and Texas. The "Free-soilers" wished the government to assume the attitude of the enemy of Texas, and to urge the arguments of Mexico as to the limits of her territory—a breach of faith apparent to every reflecting mind. Was it any wonder that the question of slavery became every day more and more identified with Southern pride?

On the 18th of April, 1850, the resolution previously offered in the Senate by Mr. Henry S. Foote, of Mississippi, an active advocate of the compromise policy, for the appointment of a committee of thirteen on the slavery question, was passed in the Senate, and Mr. Clay appointed chairman of the committee the next day. On the 8th of May, the committee reported what was afterwards known as the "Omnibus bill," covering all the points of Mr. Clay's resolutions of the 29th of January; and on the 10th of May, Mr. Foote addressed Mr. Tyler a letter requesting his views upon the subject of the bill reported by the committee. Mr. Tyler's popularity was now firmly re-established. He replied in a somewhat lengthy communication, which was published in the papers of the day. Writing to Alexander Gardiner a short time afterwards, he expressed himself on the subject of his letter as follows:

[TO ALEXANDER GARDINER.]

SHERWOOD FOREST, *May 29, 1850.*

MY DEAR SIR: I have written to Foote, from whom I received a letter requesting my views, suggesting amendments, but in the main approving the compromise. I do not see that anything better can be done. In its results, Clay's plan differs not much from that of the administration. That of the administration leaves matters open to the selection of the people themselves in convention. Even if the climate and productions invited to settlement, the doubt of being outvoted in the formation of a constitution would keep the Southern man with his laborers where he is. And so with Mr. Clay's; if the effort was made to enforce the Mexican law, and resisted, before a decision of the question could be had the influx from the non-slaveholding States would settle the matter. If the question be any other than an abstraction, as I take it to be, we save our honor and lose the land. I have, therefore, made the most of it in the letter to Foote, not seeing that anything better is likely to be done. I shall have at least convinced all men that I can overcome personal prejudices and feelings when the safety of the country requires it. Since you left I have become entirely satisfied that if nothing be done in the spirit of compromise, and the majority shall force measures, there will be a decided move in the South. The minds of all men seem to be made up to it. I have seen plain, unpretending citizens who hold a decisive language upon the subject. What desperate infatuation, then, to press matters to extremity. If the letter be published, give me your candid opinion concerning it.

My time, so much as I can devote to any such purpose, is occupied in preparing an address to be delivered before the Literary Societies of the University on the 29th June. The theme is the Declaration of Independence by Virginia, and is purely Virginian. I shall treat it as such, and seek to revive the recollection of past times and past men in the Old Dominion. The ex-

amination of her ancient records shows how firmly she has at all times stood up for public rights.

Julia and myself have most deeply regretted that your mother and Margaret should have left us at the moment that the weather was about to assume a more pleasant condition, and that nature was to clothe herself in her sweetest smiles. A week has produced great change, and the south porch is one living nosegay, and the garden redolent with sweets. The peas are in perfection, and the strawberries luscious and tempting. We have them daily on the table, and each of us often ejaculate the wish that you were all here to enjoy them with us. Gardie is rapidly recovering his strength, and no other case of measles has manifested itself. With the warm weather we shall, I trust, throw off the aches and pains of winter. The wheat is advancing to maturity, and the fallow field to the left, as you come to the house, is magnificent to behold.

With best love to all.

Truly and affectionately yours,

JOHN TYLER.

The following is Mr. Tyler's public letter to Senator Foote:

[To HON. H. S. FOOTE.]

SHERWOOD FOREST, *May 21, 1850.*

MY DEAR SIR: Your letter of the 10th, requesting my views touching the expediency of adopting and carrying into effect the compromise scheme which has recently been reported from the special Committee of Thirteen, reached me in due course of mail, and recognizing the claims of a long continued friendship, which I am quite desirous to cherish, I do not hesitate to respond to your wishes. Let me promise that, although secluded from the affairs of the political world, the agitations which disturb the country have not failed to reach me, and most painfully to affect me. They have arisen on a question which alone has power seriously to affect the stability of our institutions,—a question which admits of but one means of solution, and that is in the practice of perfect justice by the members of the Union towards each other. Let the case which now agitates us be stated to any impartial arbiter, and he would have no difficulty in settling it. Here are a number of States in union, partners in a great political firm, where all are equally entitled to participate in the benefits of the concern. By their joint means they acquire a valuable territory. Common sense and justice would declare it to be the right of all, free from every legislative impediment, to enter upon and enjoy it, with all their movables and objects. But it may be that, from a difference in the constituent elements of society, the inhabitants of a portion of the States could not sit down by the side of the other portion and prosper; so that, if held in common, the property would enure mostly, if not altogether, to the benefit of a moiety of the partners. What does common sense and common justice dictate in such an instance? Precisely what would take place between individuals—neither more nor less. Let there be a fair division between the parties, so that each may have a full and perfect participation in the benefits of the partnership. This was the leading motive in the Missouri Compromise.

But then a portion of the partners hold in holy horror the domestic institu-

tions of other portions, and cannot consent to any act which will give a wider spread to those institutions. To so great an extent is this repugnance carried, that even in the Senate, among the Conscript Fathers, one of their number, and he a representative of the most potent State in the Union, has not scrupled substantially to declare that obligations imposed by an oath are nothing; that plighted faith between States is nothing; that solemn compacts between nations are nothing; that all and everything heretofore esteemed to be sacred and binding among men is in comparison as "burning flax." To those who entertain such feeling and sentiments, a ready mode presents itself to avoid the awful conflict of real or supposed duty. They can, by retiring from positions wherein such dread alternatives present themselves, avoid them. In their retirement, they have only to lay aside the duty of good citizens, and there erect an altar to that deity, whatever it is or may be, that requires for its protection the disregard of an oath, a sacred bond and covenant with the great God of the universe. But what shall be done by States to avoid the fulfilment of constitutional obligations and the dispensation of justice? Will they act in a spirit of worse than Punic faith towards their associates and partners? Surely, surely American honor is not reduced to so low a standard. That honor which has remained bright and untarnished amid numberless collisions with foreign nations, it cannot be that it is now destined to suffer eclipse. *Justitia fiat, ruat cælum*, was, and I trust still continues to be, the maxim of these States. Let it still be elevated above the war-cry of faction; and if the aversion to domestic institutions of the South is so great as to give serious disquietude, let the non-slave-holding States say so at once; let them tell the South: "We cannot rest in peace by the side of this moral contagion. While we remain associated, we cannot fully or constitutionally deny to you an equality of benefit with ourselves in all that forms part of the common stock; but we prefer to be released from our obligations, which, while they exist, must be sacredly preserved; so let us partition the public debt and public property on terms of perfect fairness, and separate in peace." Such a course, however to be deplored, would be lofty and honorable. It would realize the reply of Aristides to the Athenian people as to a proposition of Themistocles: "Nothing could be more for the benefit of Athens," said he, "than what Themistocles proposes, but nothing more unjust." You will remember that Themistocles proposed to seize on the fleet of the Grecian allies in order to ensure the mastery of the seas. It is proposed now to seize on the public lands to obtain mastery over the Union.

From these reflections, my dear sir, you will readily deduce the color of my opinions. I think that the South might very well have surrendered to the North and the North-west the golden treasures of California, and the rich, grazing and farming lands of the Sacramento and San Joachin, and that the North might have been well contented to leave open to the influx of Southern institutions all the country south of thirty-six degrees thirty minutes. In such an adjustment the North would have had the gold and all the power that gold can purchase. Whether the last would have enured to the South is extremely problematical. It may have been possibly stimulated to settlement by the hope of mineral deposits not yet discovered. I am aware of no other mo-

tive. Be that as it may, the States would have preserved good faith to each other, and all would have been peace and good will. Nature would have presented a barrier to emigration from the South, and not Congress; and no murmurs of discontent would have prevailed. But this did not suit the views of certain men. Agitation succeeded, and Congress, losing its balance, gave to California no territorial government, and provided no means to establish the dominion of law and order. She was left like an estray to wander where she could, and either to submit to the rule of the sword or to govern herself in the best manner she was able. May I not be justified in saying, that none but the descendants of a race the advocates of law and order from the time of Alfred could have prevented everything from running into a state of anarchy? A league of the good was formed to restrain the bad, and the principles of laws were put actively in operation. It has not, therefore, been a matter of the least surprise to me that the people of that Territory should have formed a State government the more perfectly to protect the rights of persons and of property.

In doing this they have thought proper to exclude slave labor by their fundamental law. If this is the result of the fair and unbiased sentiment of the people, they had as full right to adopt it as to adopt any other feature of their Constitution. In that view the South has no right to object to it. It was an attribute of self-government appertaining entirely and exclusively to themselves, in the exercise of which they cannot be regarded as giving offense to any other people or State. What else have they done? Doubtless much that is objectionable. They have embraced the whole coast of the Pacific, and embraced within the limits of their proposed new State a tract of country not only not properly represented, if at all, in the convention, but capable of making large and powerful States in themselves at some future time. All this is highly objectionable, and under ordinary circumstances should not be submitted to; but as Southern men, with full knowledge before us that slave labor will be excluded from all the territory of California, however it may be divided, of what consequence is it to the South whether the country be admitted as one or more States? Is it not even better for the South that the whole country should compose a single State, since for some time to come it will be represented by two instead of four senators, the two senators being by birth, by connection, and education identified with the South?

But if we object to the admission of California as part of the proposed compromise, and thereby defeat it, pray tell me what we shall have gained? By the bill as reported, two new Territories are reported, Utah and New Mexico, as to which not only is the Wilmot Proviso waived, but an express stipulation is made that the Territorial legislatures shall make no law upon the subject of African slavery. Congress is passive then, and the Territorial legislatures are passive. We might justly require more; but as no impediment produced by United States legislation is in our way, if climate interposes no obstacle, and the Constitution overrides Mexican law, which I do not doubt, those Territories are as fully open to us as we can desire. They are only in the progress of settlement, and if emigrants from the South should move there in numbers, they may be able to control the ultimate destiny of things. I

must, however, in candor say, that I do not believe that the Southern planters will ever resort either to Utah or New Mexico for the purpose of settlement. I go further, and express the opinion which I have on another occasion expressed, that so far as the North is concerned, the Wilmot Proviso has from the first been a mere abstraction. Mr. Wilmot may have saved himself all the solicitude he has felt on the subject. Nature and circumstance asked no aid of him to carry forward his great scheme of philanthropy. He has placed himself at the head of the agitators, and won all the honors and distinctions arising from that source; but this is all. The Southern man would scarcely have periled his property by transferring it to the gold diggings. He has known from the first that, while he transfers his fifties, the Northern States would pour out their thousands; and that when it comes to the question of forming a State government he would be outvoted. The effects of that immense emigration at the North are still to be realized at home. It may, after all, be discovered that, instead of encouraging emigration of the labor of the North, it would have been better to have thrown open the doors as wide as possible for emigration from other quarters. But I go no further into that matter. I only intend to add that the bill as reported secures the South from insult—a gratuitous insult, and therefore the most difficult to be borne. The point of honor with us is saved, and this from the first has been the point at issue.

I see, therefore, no inseparable objection to taking the bill as it is with such amendments as may be shown to be necessary, unless Mr. Berrien's objection to the *two* representatives be well founded. Whether it is or not depends upon facts which are before you, and of which I am ignorant. In coming to your decision upon this subject, there is much due to those noble and patriotic spirits from the non-slave-holding States who have come to the rescue. Shall they be turned over to the tender mercies of the Free-soilers? I would pursue no course, were I in Congress, which would give to the leaders of Free-soilism a lease of life to endure beyond the present session.

The proposition made to Texas I am well content to leave to the decision of Texas. I think that her boundary fairly and justly extends to the Rio Grande. She has evermore strenuously insisted on that boundary as her right. It was laid down as the boundary by all maps and charts anterior to the battle of San Jacinto. It was acknowledged as the boundary by Santa Anna, the President of Mexico, after that battle. It was claimed by her legislature, and sought to be enforced by military armaments. It was occupied by American troops, who claimed to fight their two first battles on Texan soil. It was recognized as such by the government in the establishment of custom houses, and finally, as if to avoid all cavil or dispute, recognized by the United States and Mexico, by and through the annexation of a map to the treaty of peace, on which the Rio Grande is traced as the true boundary. The United States took the quarrel which existed between Texas and Mexico upon themselves, and did, with Texas troops to aid, what Texas would sooner or later have done for herself, conquer, among other things, her true boundary. The right is as complete as would have been that of Maine to all the lands in dispute with New Brunswick, had war arisen between the

United States and Great Britain, and New Brunswick been a trophy of the war. I fear not to trust the proposed compromise with Texas. She is every way most deeply interested in its proper adjustment, and I am willing, as a Southern man, to abide her decision.

As to the fugitive slave bill, I see no objection to the provision securing the trial by jury in the State from which the fugitive has escaped. No real bondman is going to urge the matter after returning home. His true condition there is too thoroughly known. If, however, he has real cause to believe himself entitled to freedom, the bill grants no more to him than is already secured by our laws. This you well know. While at the bar, I have often prosecuted suits for freedom, and have as often succeeded by the verdict of a jury. The North now have no fear but that impartial justice will be done. What I should chiefly desire to see would be the adoption of an amendment, rendering effectual the delivery of the fugitive by some means to prevent recapture. There is so solemn an obligation resting on the government to carry faithfully into execution the provision of the Constitution on this point, that I cannot believe that an objection will be made to the most stringent provision.

The only remaining subject is that which prohibits the introduction of slaves for sale into the District of Columbia, and the establishment of slave depots within the same. Do me the favor to turn to the Code of laws for the District of Columbia, prepared by a joint committee of the two Houses—I think in 1832—but never acted on. I was a member of that committee, being then a senator from this State. You will readily find a statute on the slave-trade in the District containing substantially the same provisions with the reported bill. That statute was prepared by myself. I need say no more, therefore, on this point.

Thus, my dear sir, have I hastily run over the subjects embraced in the proposed compromise. My views may be imperfect and unsound. My attachment to the Union may have carried me far into error. If it be so, the reason is one I am proud to avow. I enter into no rhapsody in its praise. So far has it served all its purposes well. Whether the future shall find it moving on like a majestic ship, filled with the hopes and prayers of us all, and bearing “glad-tidings of great joy” to distant hemispheres, that future can alone determine. Let justice preside at the helm, and all will be well. But if she be stricken down, and a dark and gloomy and remorseless fanaticism usurp her place, then is this argosy, so richly freighted, inevitably wrecked.

You have drawn from me a long letter, but I could not say less and do justice to my feelings and opinions. I might have written much more.

With assurances of cordial esteem and respect, I am, dear sir, yours,

JOHN TYLER.

Mr. Clay's compromise bill had continued for days and even months the occasion of angry discussion in Congress. The measures that composed it, though not passed as a whole, were taken up separately, and adopted ere the session closed. These measures, constituting the so-called Compromise of 1850, consisted of: 1, A

provision for the admission of California into the Union; 2, A provision for organized territorial governments for Utah and New Mexico, without any restriction on slavery; 3, A provision for paying Texas a sum of money for the relinquishment of her claims to New Mexico; 4, A provision for prohibiting the slave-trade in the District of Columbia; 5, A provision securing more efficiently the surrender and return of fugitive slaves.

In his letter to the *Portsmouth Pilot*, of January 23, 1850, Mr. Tyler alluded, at some length, to the fourth of these measures. He urged that the District should be closed as a slave mart,—a power which “each State has a right to exercise over its territory, and affecting no vested rights, and doing no violence to the rights of property.” He said that “that provision had long since been proposed by a joint committee of the House and Senate in the Code of laws prepared in 1832 for the District, and that particular bill, we have reason to believe, was prepared by Mr. Tyler, who was a member of the joint committee and a senator from Virginia.”

[TO ALEXANDER GARDINER.]

SHERWOOD FOREST, Dec. 5, 1850.

MY DEAR SIR: . . . The public mind hereabouts is greatly interested in the present condition of the country. For myself, I look with equal apprehensions to both great sections. The censure on Foote by the Legislature of Mississippi, and the success of Seward in your State, fill me alike with apprehension. Unless a new direction is given to the public mind, I cannot augur results. England has a finger in all our excitements, and a member of Parliament is amongst us to assist us to our ruin. If that fellow, in some manner, could be so dealt with as to give umbrage to England, and actual war should be threatened, what still lingers in the American heart of patriotism might be kindled into flame, in which the disturbers of our harmony might be consumed. An earthquake of some sort would seem to be necessary.

We rejoice in the good tidings from East Hampton, and cannot but hope to have Mrs. G. and Mrs. B. here at some early day.

Affectionately yours,

JOHN TYLER.

About this time the revolt of the Hungarians against Austria was exciting unusual sympathy in this country. Mr. Tyler was the first to propose the suspension of diplomatic relations with Austria for its too frequent violations of the laws of humanity in putting down the rebellion. His letter was directed to his son, who published it, at the request of many friends, in the papers, omitting the address.

[TO ROBERT TYLER.]

SHERWOOD FOREST, *July 16, 1849.*

MY SON: I have been highly gratified to learn that your course on the Hungarian question has been so entirely in consonance with my own feelings, although I have taken no occasion heretofore to express them. That noble people are entitled to the deepest sympathy of every lover of his race; and if they succeed, they will have done more for the cause of humanity than has been achieved since our Revolution. What prudence and wisdom in council, and what consummate generalship, have they not already exhibited. The elevation to their presidency of one of the greatest men of the age; the humanity, the observance of which is always wise, which they manifest upon all occasions; their undaunted bravery and gallant bearing,—entitle them to the first place among nations ripe for liberty.

What shall be said of their opponents in this great struggle for freedom? Wherever they move, “desolation marks their progress.” In prosecuting the war, they seem to have laid aside the attributes of civilized men, and to have become little better than demons. Acts disgraceful to the worst ages of the world signalize their smallest victories. Villages sacked and plundered, the noblest of the people marked out for disgraceful execution, and women of the first class exposed in their persons and subjected to the scourge,—such are the accounts that reach us! As a people, we can give no aid in arms and men to the Hungarians; but as one of the community of nations, we have a right to enforce and a duty to perform. We are interested in seeing that the rules which civilization has prescribed for the conduct of war shall be observed by nations at war. When Austria subjects to the scourge women of worth and character—thus trampling civilization in the dust, and reverting to days of worse than Gothic darkness and barbarity,—it becomes our duty, as it is that of every civilized State, to protest against such proceedings; and, if our protest is unavailing, to manifest our displeasure by withdrawing all diplomatic intercourse. The United States should not be left in a doubtful position. We are responsible to the world and to posterity for the aid we may give in the advancement of society to the highest state of civilization and refinement; and we but poorly acquit ourselves of our duty if we keep company with those who war both against the one and the other. This would not be taking part in the struggles of Europe—no stepping out of our sphere of neutrality; it would be but the enforcement of those conventional rules in the preservation of which the interests of all nations are alike involved. What are the views of our government on this subject I have no means of knowing. I express my own opinions for your deliberation and reflection.

In the war which Russia is waging for the maintenance of despotic principles, the course of France has greatly disappointed me. The only way in which she can save her own soil from the tread of the Cossack is to meet him on the northern confines of Hungary. Such, at this distance from the scene of action, and with the lights around me, appears clearly to be her duty and true interest. Lamartine’s annunciation of purpose to the world, when at the head of Foreign Affairs, was correct: “France would not interfere in the affairs of other States, but she expected other States to be governed by the

same rules." Such was the substance of his declaration, and it was wise. The great struggle has now commenced between liberty and despotism, and a mighty earthquake convulses Europe. The fate of centuries is involved in the contest. At this distance from the scene of action, we can only offer up our prayers for the success of the oppressed.

With love to all.

Your father,

JOHN TYLER.

This letter was noticed at the session of the compromise by Mr. Foote, in a highly elaborate eulogy in the Senate on the character and services of Mr. Tyler. Mr. Foote repelled a claim set up for Mr. Webster, on the ground of a priority of suggestion, as to the suspension of diplomatic intercourse with Austria.¹

On the 29th of June, 1850, Mr. Tyler delivered an address at the University of Virginia, on the "Declaration of Independence by Virginia." His hymn to the Union and Virginia was sincere and sweet. It found an echo in a letter, addressed a few months later, to Rev. William Tyler:

[TO REV. WILLIAM TYLER.]

SHERWOOD FOREST, CHARLES CITY, VA., Nov. 12, 1850.

MY DEAR SIR: . . . I thank you for your flattering approval of my address delivered before the Literary Societies of the University of Virginia. In the brief outline of Virginia political opinion which it contains, you have my own convictions, with the correctness of which I am more strongly impressed from the change of opinion which you frankly avow yourself to have undergone of late years; and yet, my dear sir, it were most truly to be wished that the only two parties known to the country at this day were the same which existed in the early days of the Union. Although all my life attached to the Republican or Jeffersonian party, I nevertheless recognized in the opposite or Federal party a warm and devoted attachment to country, and for many of its leaders and their memory I entertain sentiments of the most exalted respect. The Republican party evermore insisted upon limiting the action of the government by the plain letter of the Constitution, and regarded the Constitution as a solemn compact between States, while the Federal party regarded it as the result of the popular will, and differing in nothing, so far as its origin was concerned, from the Constitution of a single State. This radical difference upon the subject of the origin of the government displayed itself in its administration, and gave rise to the terms *restricted* and *latitudinarian* construction.

We have seen, through a long course of time, the struggle between these two principles for the mastery, which, in these latter days, under new names and new phases given the latter principle, is shaking our system most terribly. The Republican idea gives to no one cause of alarm, invades no man's fire-side, and threatens no man's property. Massachusetts and every other

¹ *Congr. Globe*, 1st sess., 31st Congr., Append. p. 46-7.

State is left to manage its internal affairs after its own way. The Federal idea, on the contrary, by making the popular majority the only power in the State whose will is to be enforced, if needs be, by sword and bayonet, incites even against its own desire a busy, disquieted and fanatical spirit, which, in its efforts to gain the majority power, threatens the overthrow of the greatest republic of ancient or modern times. To no such bad issue did any of the pure men of that party ever believe that their principles would come; but here it is before us, and every friend of Union has cause to tremble at it. This frightful issue has been reached by gradual steps. Power begets power, and the precedent of to-day becomes the constitution of to-morrow, and drags along with it an endless train of usurpations. Better than that we rally to the Republican doctrine of State sovereignty and an agency central government, in opposition to a consolidated government, and an imperial unrestricted and irresistible majority, in whose hands constitutional guaranties and chartered rights will be as easily destroyed as the parchment on which they are written.

You ask me for a copy of my address delivered recently to the young men of the Balston Spa Law School. You will doubtless be surprised when I assure you that all that the newspapers have said upon that subject is the merest fable that ever was invented. I did not open my lips upon the occasion, and left before the scholastic exercise concluded. Somebody made for me a speech, or more properly prepared a synopsis of a speech so manufactured, and the newspapers gave it currency; but I have so long and so repeatedly been misrepresented (I wish that this was the worst misrepresentation of me which has received currency) that I have not thought it worth while publicly to contradict it.

With sentiments of high respect, I am, dear sir,

Truly and faithfully yours,

J. TYLER.

The fillibustering expedition of Lopez to Cuba resulted in the capture of a number of American citizens who had enlisted in the expedition. Mr. Tyler's personal relations with the Spanish minister, Calderon de La Barca, were warm and cordial. He ventured, therefore, at the instance of many, to make an appeal through him to his government for their release. This appeal was graciously heard by his sovereign mistress, and contributed to the final discharge of the prisoners. The letter making the appeal appeared in the *Washington Union* of October 31, 1851, where it may be found.

About this time, too, Kossuth, the Hungarian patriot, visited America. He was received with every demonstration of respect.

Among the letters that close this chapter will be found one from Mr. Tyler to Col. Cunningham, commenting upon the death of Mr. Clay, and which is marked by the same spirit of magnanimity that distinguishes Mr. Tyler's allusions to his ancient enemy

in his speech on the distribution of the proceeds of sales in 1839, in his address before the Maryland Mechanics' Institute in 1855, in that at the unveiling of the Clay statue in 1860, and in his speech in the Virginia convention in 1861.

The administration of Millard Fillmore closed with the election of Franklin Pierce to the presidency—a gallant son of New Hampshire. Mr. Tyler's friends supported Mr. Buchanan until his defeat was foregone, when they rallied in the National Democratic Convention upon General Pierce, and secured his nomination.

CORRESPONDENCE.

[To R. TYLER.]

MARCH 17, 1851.

DEAR ROBERT: . . . I am sorry that your friend Kneap stands in danger. I think the opinion of the court excluding proof of unfairness in his adversary was probably wrong, and yet it may well be doubted whether, when it is designed to show corruption, a charge should not precede the proof, otherwise the most innocent might be surprised and condemned. It is not fairly "to confront him with his accuser."

I shall much rejoice in the success of your friend for the governorship, believing as I do that the preservation of our institutions depends on the maintenance of sound Jeffersonian principles. The purification of the Democratic party has been effected by throwing over Van Buren and his train attendants, and my hope is that it will not hereafter run into its former errors and excesses. To Mr. Buchanan I owe nothing of sympathy. He had none for me in my severe trials; and I was well informed, at the time, of his nods and smiles of approval whenever I was assailed in the Senate. But I will, nevertheless, sustain him from the regard I bear his noble State. She deserves much at the hands of the South, to which she has most usually inclined. Wise and myself conversed on this topic when I saw him last, but his efforts to commit the State in the Democratic convention was ill-advised. I do not think, however, that it has hurt Buchanan. . . .

J. TYLER.

[To JOHN S. CUNNINGHAM.]

SHERWOOD FOREST, *October 26, 1851.*

MY DEAR SIR: Your letter of the 19th is before me. The Badger anecdote is scarcely worth remembering,—certainly not worthy of a notice in the newspapers. Mr. Badger seems to have forgotten, in recurring to it at the President's table, that ten years had passed since we had seen each other, and ten years bring along with them great changes. I did not know him at the moment of his addressing me, which I regretted, since towards him I never entertained other feelings than those of regret that he should have suffered himself to be drawn into an alliance against one who never had entertained for him other than kind feelings. Since then I have more thoroughly under-

stood his motives of action. He belongs to the old John Adams school, I to that of Jefferson; our principles were, therefore, antagonistic. He, doubtless, is as sincere in the advocacy of his as I am of mine, and his view of duty led him to resign. He said more unkind things of me afterwards in North Carolina. I expected no mercy at the hands of my opponents, and should be very silly to bear malice. I did regret, I repeat, that I did not recognize him at the first glance. He was most probably assisted in his remembrance of me by the annunciation of my name by the proprietor of the hotel, who saluted me.

My friends flatter me by frequent declarations that I am unchanged in appearance; but old Time is not to be thus deprived of his rightful dues. He writes his wrinkles on the brows of all.

Do you accept the tender made you of the leading editor or not? and if so, do you prefer Washington or Alexandria? I scarcely know which to advise. The circulation of a paper at Alexandria must be local; yet, by an agent always in Washington to report the earliest news, it might become controlling. A paper at the seat of government, if it met with success, would give the editors a high position. But there is the rub—many have failed. Whether you take the one or the other, you will have my best wishes for your success. In either event, be in no haste to commit yourself on the presidential question. There may be more things in heaven and earth than the philosophy of the moment dreams of. If Stockton visits me, you shall in our flowing cups be kindly remembered. I congratulate you on your military promotion. Be pleased to remember me to your father, and believe me to be,

Truly yours,

JOHN TYLER.

P. S.—I hope to see you whenever convenient.

[TO ROBERT TYLER.]

SHERWOOD FOREST, *October 27, 1851.*

DEAR ROBERT: I have been deeply mortified at the defeat of Judge Campbell. I have formed of him an exalted opinion, and have regarded him as so thoroughly identified in feeling and sentiment with yourself that I almost regard his defeat as your own. I felt pretty well satisfied at the time that the judges who had been defeated by him in the nomination would not only feel indifferent in the matter of his election, but would impart the same feeling of indifference to their personal friends; yet I had hoped that the defection would not have been sufficiently great to defeat him. His defeat has, I learned from your letter, proceeded from a different consideration; and I infer, what I had not before understood, that the Judge is a Roman Catholic. What a wretched pretense this on the part of any man to vote against him. To make a man's religious opinions the test for office is to break down the fairest and most beautiful pillar in the Constitution, and, rejecting the enlightenment of the nineteenth century, to fall back on the condition of the ages that have passed. I fear that an elective judiciary will not work as well as could be desired. We are about to try it, and already I see an inclination prevalent to make the political opinions of the candidate the best evidence of his legal attainments. So far, however, no one has questioned any candidate as to his

religious opinions. I hope the day for that with us is very distant. John writes me that you surrender the Attorney-Generalship to Campbell. I do not think that he ought to permit it, as he has had his chance, but of course you know best.

Your father,

JOHN TYLER.

[JAMES BUCHANAN TO R. TYLER.]

WHEATLAND, NEAR LANCASTER, *January 8, 1852.*

MY DEAR SIR: I have received your kind letter of the 6th. You have, indeed, performed all and more than all that you ever promised. To have lost the city and county would have been almost political destruction; to have gained them, enables me to breathe deeper and freer. Thanks to the glorious Democracy of the city and county, the question is no longer who shall have the majority, but what shall it be in this State.

I believe we shall carry the city and county of Lancaster. We have the Democracy by an overwhelming majority if they will only turn out to the delegate elections. My friends are active and busy, and have sufficient means; yet I shall make no confident prediction.

I know not how to conciliate the Van Burens. I never quarreled with them; but sacrificed myself in '43 and '44—now one of the heaviest charges against me in the interior of the State—to give Mr. Van Buren a unanimous nomination. We must have some more active friends in Washington, even if we have to send them there.

With my kindest regards for Mrs. Tyler, and best wishes for the young stranger, I remain, in haste, gratefully and respectfully, your friend,

JAMES BUCHANAN.

[TO REV. WILLIAM TYLER.]

SHERWOOD FOREST, *January 12, 1852.*

REV. AND DEAR SIR: . . . Since the receipt of your letter France has undergone another revolution, and another is destined to tread speedily on the heels of this, which either makes Louis Napoleon Emperor, under the title of Napoleon the Second, or gives a fitful existence to another Republic, to be succeeded by other convulsions and other revolutions even more sanguinary than those we have seen. The idea generally, nay universally, prevails that France is unsuited to free government. France, as she now is, most probably lies justly under the imputation, but the remark does not apply to her people. They are ardent advocates of freedom, but freedom cannot long co-exist with France one and consolidated. The centralization of power at Paris constitutes Paris France, and a revolution at Paris is a revolution of France entire. This centralization gives, free play to faction and intrigue, and results either in *émeutes* or *coup d'états*.

Before freedom can maintain herself, she must have her places of retreat, or more properly to speak, her citadels in the provinces. Invest each of the provinces with the power of local governments to watch over their local affairs, being organized after the manner of our State governments, and change at Paris is no longer change in France. Liberty falls back upon the provinces, and faction becomes comparatively harmless.

Take our own country by way of illustration. A Guy Fawkes might arise among us who should be more successful than he of England. President, cabinet, Congress might be blown up, and yet no change in the form of government would occur. The State governments would have diligently to set to work, but for a day, in the election of senators and representatives, and the president of the new Senate would discharge the duties of chief executive magistrate; or if that were doubtful, an election of president might be ordered by the new Congress to take effect at an early day. I put the most extreme case possible, and yet with a firm adherence to the Union on the part of the States, even such a case would not necessarily carry with it an overthrow of the Constitution. But what chance for a successful *coup d'état* on the part of a president, or any other functionary of the character of that which has occurred in France? The military arm of each State would be bared to the elbow upon the instant of the information of such a movement, and the usurper be placed "*in durance vile*."

Yes, my dear sir, you are perfectly correct in regarding our division into separate colonies, under the rule of England, as the most fortunate possible circumstance. It is now preserved in the States—the life-bread of our system. That great man, who has come as an exile among us, sees it in all its force. His laudation of municipalities at Southampton and in this country was well uttered. You ask me my opinion of him. I scarcely know how to express it in terms sufficiently strong. He is not only the first of orators, but in my opinion the greatest, because one of the purest of men. Whether I would be willing to maintain his doctrine of non-intervention to its ultimate consequences or not, I cannot but admire him for the zeal with which he pleads in behalf of Hungary, and the frankness with which he announces his opinions,—opinions which twenty-three years hence, when our population shall amount to 50,000,000, will have a nation for their advocate. The march of absolutism seem to threaten the overthrow of every scintilla of freedom in Europe; and I confess my apprehension that Kossuth's anticipation of the early rising of the masses is more the result of an ardent wish and glorious imagination, than of a substantial and well considered judgment. Should I, however, be mistaken in this, the finger of Providence seems to point him out as the selected one "to ride upon the whirlwind, and direct the storm" for the good of humanity. So be it; and to yourself health and happiness, and long life.

JOHN TYLER.

[TO JOHN S. CUNNINGHAM.]

SHERWOOD FOREST, *June 10, 1852.*

MY DEAR SIR: My thanks are due to you for your repeated favors from Baltimore during the session of the Democratic convention, and in reply to your inquiry as to my opinion on the final result of its deliberations, I cannot more plainly answer than by stating what occurred several days in advance of the nomination in my own family circle. It became obvious to me from an early hour in the deliberation of the convention that none of those who had been most prominently spoken of could be selected, and of course we cast about, to use a huntsman's phrase, for a suitable person, and one who would

be most likely to succeed, and General Pierce was pronounced to be the man. This was in advance of the action in his favor in convention. This conclusion was arrived at for two reasons: 1st, the State of New Hampshire had been one of the truest and most faithful States in the Union to the great Jeffersonian platform of principles. If her noble and uniform advocacy of principle had ever suffered eclipse, the envious cloud which has passed across her disk had soon passed away, and her light was more intense than before. On the slavery question she had taken her position firmly, so firmly that after having nominated a Democratic governor, as she believed him to be, she hesitated not to throw him overboard upon understanding that he was tinctured with Free-soilism. She made a new nomination, and won the victory. She stood, therefore, prominently forth as challenging the respect and confidence of the constitutional party of the country. In choosing among her sons, none presented more imposing claims than General Pierce. To dwell upon those claims would be a waste of time in writing to you. While I hold all the gentlemen whose names were before the convention in the highest respect, yet I must say, without disparagement to any, that the nomination which has been made is destined to carry with it quite as much, if not more, influence in the election than any other that could have been made. I regard General Pierce's election as next to certain. If, upon being elected, he brings along with him the fixed purpose of reuniting the old Jackson party of 1828, which was the sound Republican party, and shall accomplish that purpose, he will have given a new lease to the Union, and a still brighter day to the Constitution. That old Republican party united in all its strength may set all factions at open defiance. It was formed in 1842, but the politicians tore it in twain for their own ambitious purposes.

I write you fully, but not so fully as I could desire. The limits of a letter deny to me greater latitude than merely to answer your enquiry.

With best wishes,

Yours truly,

J. TYLER.

[JAMES BUCHANAN TO ROBERT TYLER.]

WHEATLAND, NEAR LANCASTER, *8th June, 1852.*

MY DEAR SIR: I have received your favor of yesterday, condoling with me on my defeat. You ought rather to congratulate me on the ability, devotion and energy of my friends. They have fought a good fight, and have deserved success. It was not their fault if they could not command it. For the first time I have had a fair trial and have been fairly defeated; and I can say from my heart that the only circumstance which now grieves me is that I shall be without the power to benefit such true and valued friends as yourself to the extent of my wishes and their deserts. I yet may do them some good even in a private station.

I am truly grateful that Colonel King has been nominated as Vice-President. He is a pure, honorable and sound judging man, and would make a safe and excellent president. I am well acquainted with General Pierce, having served with him for four or five sessions in the Senate. He is a sound and inflexible Democrat, and an honest and honorable man. Should he be the president, I feel confident he will give no countenance to the speculators and corruptionists

who now, like vultures, surround the public Treasury. Virginia has nominated him, and must now look after him and keep him straight.

I now give you your final discharge, after long, able and faithful services, but live in the hope that I may yet be able to manifest my gratitude to you by something more decisive than words.

From your friend. Very respectfully, JAMES BUCHANAN.

P. S.—Don't forget to bring Mrs. Tyler to see us.

[TO JOHN S. CUNNINGHAM.]

SHERWOOD FOREST, July 15, 1852.

MY DEAR SIR: Your letter of the 10th reached me last afternoon, and finds us in all hurry and confusion, preparatory to our annual visit to Mrs. Gardiner, who is now permanently located on Staten Island. The day for our departure is not yet fixed upon, and will be governed somewhat by the expedition employed in preparing suitable wardrobes for nurses and children. While, therefore, it would give us, at any season and at all times, sincere pleasure to see yourself and Mr. Sumner,¹ I suggest that you postpone your visit until the fall of the year, when we shall be again quietly seated around the family hearth. But this suggestion is made more with a view to enhance the pleasure of the trip to yourself and him than from the consideration of any inconvenience to ourselves. So regulate your movements according to your own feelings, and take care to impress Mr. Sumner with the conviction of our sincere desire to see him under our roof. Mrs. Tyler would take great satisfaction in travelling with him over the countries she visited in Europe, and I should be greatly pleased to shake by the hand one to whose pen I was indebted for a defense in foreign journals of my most cruelly abused administration.

Our summer tour will most probably be confined to Staten Island and its environs. To Senator Sumner I was indebted, during the winter, for a copy of his very eloquent speech in relation to Kossuth. It undoubtedly is a gem of the purest water.

I was half inclined to be offended with you for handing over to the press my letter on the subject of Gen. Pierce's nomination. It was written off *currente calamo*, and was scarcely suited to public criticism. However, it has received somewhat more of praise than condemnation, and so I must even pardon your first and only offense. That to Tammany is better weighed and more cautiously expressed. My first impressions of Pierce's success are all confirmed by what I daily see and hear.

Yes, my dear sir, Mr. Clay has paid the great debt which we are all sooner or later to be required to pay. He did me great wrong, and caused thousands to entertain opinions of me which had no foundation in truth; but in doing so, he was madly ambitious, and while injuring me, he did more serious and lasting injury to himself and his fame. History is the impartial arbiter to decide between us, and to her decision I fearlessly submit myself. My feelings of anger towards him are all buried in his grave. We were once inti-

¹ George Sumner, brother of Charles Sumner.

mate, and I had a warm attachment and admiration for him, but he broke the silver cord with a reckless hand, and his arm became too short to reach the golden fruit for which he gave up friendship and everything.

I am, dear sir, truly and faithfully yours,

JOHN TYLER.

[To JOHN S. CUNNINGHAM.]

SHERWOOD FOREST, *December 15, 1852.*

MY DEAR SIR: I am in receipt of your letter of the 6th instant, and return you my thanks for the enquiries you caused to be made concerning the breastpin. It so turned up that the day after you left I received a letter from Capt. Russell of the *North Carolina*, containing the lost treasure, which, after a somewhat extraordinary manner, he had recovered. The pin had been dropped on the deck of his boat during our return from the North, and picked up by one of the servants, who pocketed it, and was discharged the next day. He was, however, seen in possession of it, and the captain recaptured it, and now we have it again. The article is of no great value, except for its coincidence, and its containing the hair of General Jackson.

I am gratified at the favorable opinion expressed of my administration by the Vice-President elect,¹ and am pleased to receive so favorable an account of his health. I have long known him, and have always highly esteemed him. We have differed occasionally, where I thought our difference involved principle (I mean the principles of the Constitution), but in the main we have agreed, having derived our principles from the same common source. I sincerely wish him a complete restoration to health.

Your anecdote of my coachman is but indicative of his general course; but I must protest in your future visits against such excess of liberality to my servants. I do not object to small douceurs, but when you come to distribute the contents of your purse so freely as you did on your late visit, your call for a night becomes altogether too burthensome. Besides, it will make my domestics dissatisfied with other visitors who indulge in more moderate largess.

You have breathed the atmosphere of London, where such customs, from all I have heard, are carried to a great excess; but we Virginians reduce the dollars to quarters and nine-pences.

With constant good wishes, your friend,

JOHN TYLER.

¹ William R. King.

CHAPTER XVII.

1853-1857.

"Have you read in the *Herald* of last week the article from the *London News*? It is a direct appeal to the North to break up the Union, accompanied with a long and bitter tirade against the South. If there is not patriotism in New England to revolt against that, or if the scales over their eyes are not removed by it, then treason is spread broadcast, and there is required no ghost from the tomb to tell us that the end is nigh. Rely upon it that the next four years will prove to be the turning point of our destiny, and that it requires no ordinary man at the helm to weather the storm. I doubt even whether the presidency would be desirable. He would be but a wreck in history whose administration would witness a destruction of the government."—JOHN TYLER (1855)

REFLECTIONS ON THE SECTIONAL ISSUE AND THE DEMOCRATIC PARTY.—CRITICISM OF THE "NATION."—KNOW-NOTHINGISM.—LETTERS OF MR. TYLER, WISE AND BUCHANAN.—MRS. HARRIET BEECHER STOWE'S "UNCLE TOM."—REPLY OF MRS. TYLER TO THE LADIES OF ENGLAND.—PRESIDENTIAL POLITICS.—LETTERS OF MR. TYLER, WISE, AND R. TYLER.—AGITATIONS IN KANSAS.—VARIOUS LETTERS.—ELECTION OF JAMES BUCHANAN AS PRESIDENT.—ADDRESSES OF MR. TYLER.

OF course, in speaking of the "North," in the last chapter, I refer only to that tendency which, hateful to the large majority of the patriots of the North, at length, after the longest struggle recorded in our history, by a fortuitous train of events, got possession of the government, and administered it in the grossest sectional manner. The intelligence of the North, comprising the Union party of Bell and Everett, and the Democratic party long threw their shield between the Abolitionists and the Constitution. The ultras called them the "tools" of the slave-power, forgetting that, while they were paying the highest compliment to the South, they were dealing a mortal blow to their own vaunted pretensions to superior civilization. What a compliment, that Southern slave-owners should rule the proud freemen of the North! What a mockery, that more than half the people of the North should be ruled by a "few degenerate slave-holders"! No; the Democratic party entertained the true theory, that if the North could not, in good faith, respect the Constitution, then decency required that it should peacefully dissolve the Union. Now the Democrats loved the South too much to part with them,

and having fought them on the field of battle, wished the ascendancy of the "Union," and not of a section. Can the South, can *Union*, ever forget the course of the Democratic party?

I have traced in my first volume the formation of the Democratic party, as composed of Federalists and Strict-Constructionists. I have noticed the contest in the ranks till the close of Jackson's first term. I then noticed the rupture that ensued on the tariff question, and the removal of the deposits. The strict-construction elements were thrown off, and formed, in conjunction with the National Republicans, the Whig party. I have established beyond dispute, that until 1841 this party was the State-rights party of the Union. Could there be a more national (consolidating) idea than the Proclamation or Force Bill?—and yet the Jackson party supported both. Could there be a more centralizing scheme than the Independent Treasury?—and yet this was the characteristic feature of Mr. Van Buren's administration. Who ever approved so many bills for internal improvement as Jackson and Van Buren? and did not the *loco-focos* who ruled the Democratic party—Benton and his "clique"—hate the Compromise Tariff, while Clay, Harrison, and all the influential Whigs swear to support it?

Nor does it do to say, as the *Nation*¹ does, in an able criticism of the first volume of this work, that "it is a misinterpretation of history to represent the tempory revolt of a few State-rights men, like John Tyler, against the one man power of a despot, like Jackson, the real foundation of the Whig party." The revolt alluded to was not a temporary one, nor was it that of a few State-rights men. Until 1837 it comprised the whole body of State-rights men of the South—Calhoun included. The objections of these against all the measures of the National Republicans of 1828 and 1832 were rigid, because based on the Constitution. Of course the National Republicans and Clay had to give way. Bank, tariff and internal improvements were surrendered, and the Whig party contended for reform in the currency and the departments; for the distribution of the land-proceeds; leaned to the State Banks with *special deposits*, as the fiscal agent of the government; and became in every sense the champion of the States, charging upon the Democrats as the greatest crimes, Bank, tariff and internal improvements. Calhoun's return to the Democrats, in 1837, was

¹ The *Nation*, April 2, 1885.

only another exhibition of his Federalism, just as nullification was never true State-rights, but Federalism, in the sense that it went outside of the Constitution, and injured the cause of the States as much as the Proclamation of Andrew Jackson. The accession of Rives, Tallmadge and Legaré made up in part for the defection of Calhoun; and when the election in 1840 was decided, it is to be very much questioned which element of the Whig party was most numerous—that part which had voted for Clay and Bank in 1832, or that part which had voted that same year for Jackson, and against the Bank.¹ The decision of Clay either way was enough to give the ascendancy. Clay decided for the Nationals and against those to whom he was bound by the most solemn pledges. With a shout the old National grubs came out in their gaudy colors of 1828, and the aptness with which the State-rights men threw their character, pride and consistency to the winds is as astonishing in the history of the party as the treachery of the Nationals and Clay. But such is the power of party.

General Harrison and Mr. Tyler were both of the strict-construction wing, but the former had no close ties with the politicians, and the latter became President too late to prevent the *nationalizing* (sectionalizing) of the Whig party, whose character thereafter no more resembled the old party than the Democratic party under Van Buren resembled the same party under Pierce.

However, there were thousands of Whigs who remained true to the principles of Jefferson, and these during Mr. Tyler's term forced the Democratic party in turn to a strict-construction character. The Texas question, originated by Mr. Tyler, expelled the Federal or *loco-foco* element,—Benton, Van Buren, Blair, etc.; and in 1844 Mr. Tyler and the Democrats found themselves just as they were in 1828, united and with his views in the ascendancy.

¹ The contrary impression, which, I am aware, is considerably prevalent, is due merely to the vociferations of the Whigs when they had metamorphosed themselves. The old cry is still kept up by men who never examine anything for themselves. The State-rights Whigs had, if anything, the most talented men. There were Judge White, William H. Harrison, John Tyler, L. W. Tazewell, William F. Gordon, B. W. Leigh, John H. Pleasants, William C. Rives, William C. Preston, A. P. Upshur, Thomas W. Gilmer, Tallmadge, Legaré, George R. Gilmer, Troup, John Bell, Berrien, Badger, T. B. King, William S. Archer, Henry A. Wise, Mangum, Waddy Thompson, Duff Green, John McLean, C. A. Wickliffe, Bibb, and a host of others. Several of these went back to the Democrats with

The election of President Pierce was in a measure the triumph of Mr. Tyler's personal friends. Wise, writing from Onancock, Virginia, April 5, 1853, thus remarked upon the result:

"You say, 'where are you?'" I answer, "*Here at home*, contented and independent." The President most kindly tendered me any and everything, affectionately even. I could not and would not go into his cabinet. I wanted to go into the Senate. Hunter would not get out of the way; he could not, in fact, and I blame nobody. They want me now to take one of the first foreign missions. I would leap to the chance of getting into the great world, but am now out of debt, and yet too poor to pay my way at court, and too proud not

Calhoun in 1837 (see Vol. i., p. 586, Preston's letter), and *every one* of them were on record against what became popularly known as Whig measures when *Whigs* became synonymous with the *National Republicans*, and were in fact no longer the *Whig* party. If we turn to the statistics of the elections, the fact becomes still plainer. In 1832, 35,000 votes were cast for Jackson in Virginia, only 11,582 for Clay; majority for Jackson, 23,418. In Massachusetts, the antipode of Virginia, 46,655, National Republican and anti-Mason, and 13,933 for Jackson; majority against Jackson, 32,722. These majorities may be taken as representing the respective strengths of the Jackson and National Republican elements of the Whig party in 1836. In 1832 the Democratic party cast 687,502 votes, and the National Republicans and anti-Masons combined, 563,297. Passing on now to the election in 1836 for Van Buren, and when the Whigs were fighting under Harrison and White, we find the vote to be Democratic, 761,549, and Whig, 736,656. The Opposition had gained on the Democrats nearly 100,000 votes. But this election was not fair as a test. The Whigs were disorganized, and voted for two presidents. The vote in 1840—1,275,017 for the Whigs—proves how much they were indebted to the State-rights men, whose principles they had now entirely adopted. That the Democrats were able to keep pace so well with the Whigs in 1840 was due unquestionably to the large number of Nationals who had gone over to them during the Proclamation and the Force Bill times. If we look at the vote in Virginia, we can observe very well why Clay made so many concessions to State-rights between 1834 and 1841. Virginia, in 1832, went for Jackson by nearly 25,000 majority; for Van Buren, in 1832, she went by only 6,893; and for Van Buren, in 1840, by only 1,413. In 1832, the National Republicans constituted barely one-fourth the votes of the State. In 1840, eight years thereafter, so great was the Revolution caused by the change from *National Republican* to *Whig* that the Opposition comprised half the vote, and decidedly more than half the intelligence and virtue of the State. When Gilmer wrote, in 1841, in the Bank controversy, to his confidential friend, Franklin Minor, he said, "Let who will falter and hesitate, there shall be one who will stand firm in what *you* and *all of us* have proclaimed as Whig doctrines." (See appendix). For the rest I have only to refer the *Nation's* critic to the last two chapters of my first volume, to the Virginia newspapers, and to the Journals of the House of Delegates for the recorded votes of Botts, Leigh, and every other prominent Virginian that afterwards denounced Mr. Tyler. It must be remembered that Clay, even in Mr. Tyler's term, while pressing the most latitudinous measures, tickled the Southerners by denouncing Federalism in the abstract, and representing himself as of the school of Jefferson.

to do so, and too old to dare to do so with the hope of making up leeway!!! There is a category for you. I shall reflect. As yet I have answered nothing, and have nothing to complain of. So and thus here am I. Hurrah for the old Guard! They were six!—now a legion strong. Cushing is a good friend of you all, and remembers your father gratefully.

“I arrived here on Monday night,” wrote Robert Tyler to his wife, May 18, 1853, “and passed the evening with Campbell:”

The next day (yesterday), the President invited me to dinner; dined at five with the family and the Secretary of War. Mrs. Pierce was very gracious. In the evening the President asked me if I would not walk with him to see the new Library and Capitol buildings, and we went off *arm-in-arm* for two hours. The people started their eyes, but we walked on conversing as wisely as if we had been the best friends (oldest) in the world. He is certainly a very pleasant gentleman, and a man of great skill and courage. To-day I met Mr. and Mrs. Semple and Ada Semple, General Semple's daughter, a very pretty girl. I dine with Cushing and Dobbin at five o'clock. To-morrow morning we expect to make tracks. They to New York, and your “old Hubbie” homeward.

Mr. Buchanan has just got home, and has had a long and private interview with me, and imparted secrets he has entrusted to *no other*. Did you ever see the like?

Mr. Tyler visited the White Sulphur Springs during the summer, and met President Pierce. Mrs. Tyler wrote:

The President is meeting with every mark of attention. He received President Pierce by arrangement, and Pierce's generous extolling language in regard to the President and his conduct of public affairs was received with absolute emotion by some, and with gratification by all.

To Mr. Cushing Mr. Tyler wrote:

[TO CALEB CUSHING.]

(*Private.*)

SHERWOOD FOREST, *March 17, 1853.*

MY DEAR SIR: I am daily called on by friends for letters of introduction to you, and many are of such a character that I cannot refuse old tried friends, who have stood by us in past times, and have never wavered since. They look to you as their representative in the cabinet, and therefore seek through you to attain their desires. You must, therefore, be greatly annoyed, and I am unwilling to add to your annoyance; but how can I do otherwise than grant these letters of introduction? The only apology I can offer is to be found in the fact, that the person, whoever he may be, who hands you a letter from me is *your true friend*, and no mistake. I have refused many, and shall continue to do so in every instance where there is no claim on the part of the applicant, or no good likely to accrue to yourself personally in the future. After what I have said, you will feel yourself perfectly at liberty to

dispose of my letters, and those who bear them, as you please. The applicants are your friends as well as mine, and therefore I beg you to feel perfectly unrestrained in your action by any reference to my interference. It is an important matter, however, to conciliate as large a body of true friends as you can, for unless I mistake the signs of the times the ultras of the Democratic party are already restless. The firmness of the President, and his strong hold on the public regard, may keep the "wantons down," but they are like the Bourbons, and can neither forget nor forgive. Do not put yourself to the trouble of answering this, unless at some interval of perfect leisure. I thought it proper to say so much to you in consequence of my letters of introduction to you becoming quite numerous. Remember, Virginia has no representative in the cabinet.¹

Always and truly yours,

JOHN TYLER.

To Rev. William Tyler Mr. Tyler wrote :

[TO REV. WILLIAM TYLER.]

SHERWOOD FOREST, *March 29, 1853.*

MY DEAR SIR: I saw from the printed list of delegates to your convention that your name was among the deputies, and if it be not too late to do so, be pleased to accept my congratulation on this manifestation of confidence on the part of your fellow-citizens. I confess to be ignorant of the distinctions which exist among parties in Massachusetts, and therefore have been unable to give you your proper position. I perceive that you are classed among the *Free Democrats*, a sobriquet which I do not understand. It cannot be of the late Free-soil party, because that party, I presume, passed away with the occasion that gave rise to it, viz ; the acquisition of New Mexico and California, and the settlement of their State governments. Since then I do not see to what Free-soilism can attach itself, or upon what food it can longer live. It is at this moment but a mere abstraction. In such light it appears to me, but my opinion may be founded more in ignorance of its true objects than correct understanding of them. I concur with you most sincerely in your high appreciation of the union of these States. Their severance would be the beginning of woes innumerable—the grave, not only of our own bright hopes, but those of the human family, would be dug both broad and deep, and ages might pass without witnessing a resurrection of liberty. We could invoke no good angel to roll the stone from the supulchre, so as to let her pass out of it, and shed her light again over the world, because we should have been her executioners, and an eternal and unmitigated curse would rest upon us to palsy our tongues in prayer. I have no patience with those, if there be any such, who indulge in imaginings of such great evil to the human race. I know of none such here on the soil of Virginia, which has so long been the nursery of sentiments devoted to Union. If the bonds are ever severed, the blow will not have its origin with us. That blow will be first leveled at the Constitution, which, when violated and trampled upon by others, cannot be, as it now is, the bond of union with us. My confidence is strong and abiding

¹ Mr. Cushing was Attorney-General in Pierce's cabinet.

that the good sense of the people will preserve us from all machinations and dangers. Rely upon it, that the golden rule of life, after all, as Mrs. Tyler expressed it in her letter to the Duchess of Sutherland, is for each person to attend to his own business, and to let his neighbor's alone. Woe, woe unto those who shall violate this rule of life. Better for them that they had never been born.

What you say upon the subject of amending your Constitution is universally acknowledged among us. No matter what may be the existing system, a majority has a right to alter or abolish it at its pleasure. Such is the doctrine contained in our Bill of Rights, which was adopted in May, 1776, and remains unaltered to this day. Another principle, which may be called its twin sister, is co-existent with this, that governments long established should not be changed for slight causes, hence our Constitutions of 1776 and 1829, contained no provision for amendment. I believe also such to be the case with our recently adopted Constitution. It has been considered better to leave the origination of amendments to the people, rather than place it in the power of demagogues to be evermore tinkering at the Constitution, and covering it all over with patches like an old kettle. If the metal from long use becomes worn out, it is considered better to melt it all over again, and cast it anew.

Of the effect of adopting a new constitution, even though it contain many provisions of the old, there is no doubt, I believe, entertained among us. The old is abrogated in all its parts, and all that breathes under it is dead, unless a prolonged existence is given by some provision of the new order of things. Thus we had to engraft a provision in our new Constitution for the continuance of our judges, etc., etc., until new appointments were made. You have asked me my opinion upon these subjects, and I give them frankly. They are of course designed only for yourself.

I am, dear sir, most truly, yours,

J. TYLER.

The administration of Pierce began, not only amid the smiles of Mr. Tyler's friends, but amid the rejoicings of the whole nation. The compromise of 1850 had, it was fondly hoped, cheated fanaticism of its prey; and the triumph of the Democratic party, under its ægis, was the dove of peace that had gone forth over the sea of passion. A new lease of life it was thought had been granted to the Constitution, and both Whigs and Democrats wafted blessings, as the ship of State, with every canvas stretched, started out over the quiet waters of the administration. The sky was serene as the waters,—but of all skies the political sky is the most changeable, and of all waters the political waters the most treacherous. The administration which had begun amid universal peace and rejoicing was to close amid the shock of the tornado, and the whirl-wind of the storm.

In the great controversy that resulted over the acquisition of New Mexico and California, the South had unitedly insisted on the extension of the line of the Missouri Compromise. Foiled in this policy, it had fallen back on the principle of non-intervention. Mr. Clay, on introducing his Compromise Resolutions, had formulated it thus: "Mr. President, the great principle which pervades throughout this bill is the principle of non-intervention by Congress on the subject of slavery."¹

The adoption of Clay's resolutions in 1850 by Congress, and their endorsement by both the great parties, made the principle of non-intervention as to slavery the living principle of the day. Utah, one of the Territories organized under the Compromise, was composed in part of a portion of the Louisiana cession, and it seemed clear, that with the abrogation of the old policy of partition, the reason and necessity for the further recognition of the line of thirty-six degrees thirty minutes had fallen to the ground. When, therefore, in January, 1854, certain portions of the old Louisiana cession lying north of thirty-six degrees thirty minutes, known as Nebraska and Kansas, petitioned for the organization of governments for them, Mr. Douglas, of Illinois, chairman of the committee on Territories, reported a bill in complete accord with the language of the Utah and New Mexico bills of 1850. The act was an unfortunate one. It became the signal for violent convulsions. The restrictionists on slavery, like Chase and Sumner, immediately availed themselves of the opportunity to cry "perfidy," and a "breach of the compact." The old Missouri line, which had been scorned by them in 1850, now became the line of all others to be maintained. Mr. Sumner began the agitation by proposing, as an amendment to the bill of Mr. Douglas, the provision respecting the congressional restriction of 1820. A manifesto was issued by him and Mr. Chase, and soon a solemn protest followed from three thousand New England clergymen against the passage of the Kansas-Nebraska bill.

In a letter dated March 29, 1853, Mr. Tyler, yet rejoicing over the fruits of the compromise of 1850, had passed a glowing eulogy on the Union. "If the bonds are ever severed," he said, "the blow will not have its origin with us. The blow will be leveled

¹ *Cong. Globe, Appen.*, 31st Cong. 1st Session, 1416.

at the Constitution, which, when violated and trampled upon by others, cannot be, as it now is, the bond of union with us. My confidence is strong and abiding that the good sense of the people will preserve us from all machinations and dangers." As to the late Free-soil party, he considered it a mere abstraction, as there was nothing since the settlement of the governments for New Mexico and Utah to which it could attach itself. "In such light it appears to me; but my opinion may be founded more on ignorance of its true objects than in a correct understanding of them." Now, a few months after, the evil was seen still operating, and the object of Free-soilism stood revealed in its fixed character of agitation, with a view to the dissolution of the Union or the subjugation of the South. Notwithstanding the storm raised about its ears, the bill of Mr. Douglas passed both Houses on the 20th of May, 1854, and, receiving the approval of the President, became a law.

The following is from a letter of Mr. Tyler to Colonel David Gardiner:

SHERWOOD FOREST, *February 2, 1854.*

I perceive a new storm is about to break out in Congress and the country by the organization of the Nebraska Territory. As customary, I presume it is the end, as has heretofore been the case, in the despoilment of the South. Two years ago the free States renounced the Missouri Compromise, when we were to be shut out by Mexican laws from all interest in Southern California, Utah, and New Mexico, and now when a remote possibility exists that some planters from Missouri may, unless prevented, pass over into Nebraska with their domestics, the Missouri Compromise, against which all of them voted in its incipency, has become suddenly *the* measure above all others to be sustained. I remember well that only three gentlemen from the free States voted for the Missouri Compromise, and General Harrison was one of them, and for doing so his constituents turned him out of Congress. Well may the Northern politicians exclaim *tempora mutantur et nos mutamus cum illis*. These agitations cannot end in good.

To Rev. William Tyler he wrote:

[TO REV. WILLIAM TYLER.]

SHERWOOD FOREST, *May 22, 1854.*

MY DEAR SIR: Your letter of the 29th April reached me several days after its date, and has remained unacknowledged because of absence from home and constant occupation since my return. The annunciation of my son's name in connection with the London consulate by some of the newspapers,

to which you refer, has been, I presume, merely the result of the good wishes of some friendly editor, who thought that the office would be acceptable. In regard to it, I have no intimation from my son, or from any other quarter, and therefore presume that the annunciation has been made without the slightest authority or foundation in fact. He does well in Philadelphia, where he not only holds a lucrative station, but enjoys also a handsome professional practice. If he went to London, I am sure it would give him pleasure to correspond with you.

Whether the war in Europe will result favorably to the cause of public liberty, or serve only to strengthen the rod of despotism, depends upon so many contingencies as almost to baffle conjecture. The history of the world goes to show that in countries of large extent, undivided into distinct states or provinces, each for itself exercising local legislation, free government cannot exist. The centralization of power, whatever may be the form of the government, whether monarchical or popular, leads to similar results. In the one case, the arbitrary will of one tyrant controls; in the other, a more voracious and oppressive tyrant, in the name of a majority, preys upon and devours the rights and interests of the unhappy minority. The single tyrant may aspire to the appellation of "Father of his people." He has no motive to discriminate between sections, and, consulting true glory, may have at heart the interests of all his subjects. But not so the tyrant majority. Its combinations are formed, not only to preserve its power, but as a means of ensuring its continuance, to prey upon all other interests. If I could see Europe broken up into small states, each sovereign within itself, I should hail it as the advent of a new era, and augur favorably for the rights of mankind. These small states would necessarily form political alliances or confederacies similar to our own, and tyranny would be manacled by constitutional restrictions; but in the absence of such division, I take to myself but little hope or expectation.

In respect to the Kansas and Nebraska bills, as to which you ask my opinion, all that it properly becomes me to say is, that the Southern States have hailed it as a recognition of their equality with the other States as partners in the Confederacy, and that they look upon the principle it involves, viz: the right of the people of colonies or territories to regulate their own domestic concerns, as lying at the foundation of all our institutions and as initiative of the Revolution itself. Moreover, as lovers of Union, they desire a rule of universal application to all the Territories, which will prevent the busy intermeddling of Congress, and allow it some moments free from eternal agitation to look to the great interests of the country. I confess my entire concurrence in these views, and it is no small matter of regret to me to find myself differing with you on this subject, knowing the high value you place upon the Union and your attachment to the cause of public liberty.

I shall be happy at all times to hear from you, and renew assurances of high respect and esteem.

JOHN TYLER.

P. S.—Excuse my having written on detached sheets. I shall guard against similar inadvertence in future.

[FROM REV. WILLIAM TYLER.]

CONSTITUTIONAL CONVENTION, BOSTON, 15th *June*, 1853.

MY DEAR SIR: . . . The debate is expected to last a week, and the issue uncertain. Perhaps in the end there will be a compromise—towns of a required population to have each a representative,—towns entitled to more than one representative to be districted, and the towns below the requisite population to be joined together, and to comprise small districts. In case of adopting the district-system or the compromise plan, the division of the cities will be demanded, and will be had. The debate thus far has been for the town-system and the district-system, and one speech for the compromise plan; the extreme measures are chiefly supported and contested. I advocate the town-system in conversation, but do not expect to take part in the debate. I took the liberty of showing the political remarks of your last letter to Mr. Griswold. He was very much pleased with them, and requested that he might quote them in debate. I consented that he should use the remarks, but not the name of the author. Mr. G. and ex-Governor Boutwell urged my consent to the use of the name, expressing warm admiration of the remarks, and a high estimation of you, saying that the use of your name would be an honor to you. I agreed with them, but did not feel at liberty to allow the use of your name. Mr. G. introduced the remarks with wisdom, and they were listened to with profound attention.

June 17th. Mr. G. quoted from Mr. Jefferson and De Tocqueville much to his purpose. All he quoted from them and from "the unknown correspondent" have received respectful attention; and Mr. Choate, in an able and eloquent speech in favor of the district-system, declared his agreement with the whole, and only denied their support of town representation. The inhibition of a former letter from you led me to withhold your name, which I should have been proud to give, so I have nothing to confess but the giving of the remarks, which, if an error, I beg you to pardon.

Several speeches have been made since the debate commenced on both sides, and in favor of a compromise. Ex-Governor Boutwell made a very able speech yesterday in favor of town representation.

Mr. Griswold's speech will be published in the proceedings of the convention in about ten days, when, if I can obtain a copy, I will send it to you. To-day is the anniversary of Bunker Hill fight, and the sound of martial music is in the streets; the day is celebrated only, I believe, by military parade. The season is unusually propitious, and the scenery of Boston common and the country uncommonly verdant and magnificent.

Very truly, yours,

WILLIAM TYLER.

CONSTITUTIONAL CONVENTION, BOSTON, 18th *June*, 1853.

MY DEAR SIR: Yesterday, in afternoon session, we listened to what, if the well-earned fame of Mr. Choate did not almost compel to the opinion of his entire superiority over all other speakers, would pass for the speech of the session, from Richard H. Dana, Jr., Esq., son of the poet of the same name, and author of "Two Years Before the Mast."

For beauty of diction, felicity of illustration, cogency of argument and

grace of delivery, it was above criticism; and taken as a whole, in argument especially, it was considerably superior to any which has yet been delivered, and can hardly be surpassed by any talent in our body. Mr. Choate, however, will speak again, and may perhaps compel me to retract the opinion by which I have awarded superiority to another. Mr. Dana advocates the principle of town representation, to which your remarks, together with the sentiments of Mr. Jefferson and De Tocqueville, quoted at the same time by the chairman of the committee, Mr. Griswold, have contributed material aid,—to the views of neither was more intent hearing given than to what was reported of “the unknown correspondent.” “Whoever he may be,” said one approving speaker; “he certainly is a Virginian.” The Ancient Dominion is spoken of only with great respect in the convention. Indeed, it turns out that all are true Democrats. Democracy is spoken of by men of all parties as the political orthodoxy. We shall have yet to be classified, but the new denominations will hail under that banner.

The Boston papers, which are in the interest of the majority party in the convention, and so are in the interest of incorporated capital and the money power, have reproached the reformers with inconsistency for advocating town representation, which they are pleased to call corporate representation, while they have expressed jealousy of money and business corporations—i. e., manufacturing and the like. Mr. Dana made a neat reply to this unreasonable objection. He remarked that there is a wide distinction between corporations of souls and those which are “soulless.” Incorporations of capital are the lordships of Massachusetts and New England, and more than anything else threaten to be the grave of freedom. This tendency can only be checked by town representation. I told my constituents, with whom I conversed, that I intended, when I should come into convention, to look with jealous care for the supremacy and interests of “*the little democracies.*”

A principle analogous to the “State-rights” doctrine is involved in these municipalities. I shall take pleasure in sending you Mr. Dana’s speech when I can command it.

I hope I have not incurred your disapprobation by furnishing Mr. Griswold with your remarks. Anxious to aid him as much as possible, I showed him your letter at the same time that I invited his attention to the book of De Tocqueville, with which I found he had not been familiar.

Hoping that you are convalescent, and that you will soon regain your usual health, I am, dear sir, with much respect, very truly yours,

WILLIAM TYLER.

In the meantime another element of disorder was added to the general confusion. In 1854 a new political organization, called “Know-nothings,” having overrun the North, appeared on the borders of Virginia. The Whigs seized upon it eagerly as an instrument to bruise the head of the Democracy. “At the foundation of it,” says General Wise, “were the plans of Exeter Hall in

Old England acting on Williams' Hall in New England for a hierarchical proscription of religions, for the demolition of some of the clearest standards of American liberty, and for a fanatical, sectional demolition of slavery." Mr. Tyler gives its character and designs at some length in his letter to his son:

[TO ROBERT TYLER.]

SHERWOOD FOREST, *July 17, 1854.*

DEAR ROBERT: Your brief letter reached me in regular course of mail, and I read the article in the *Argus* very attentively. The fact is, nothing has more puzzled me than the *Know-nothing* party. The secrecy of its organization is only exceeded by the certainty with which it marches to victory. In the first place its name is calculated to attach to it the great mass of party, more especially if that party is any way under the ban, as is the case with the Whig party North. Routed and defeated in an hundred fields, they are ready to go into any association to beat down the Democrats. Nor is the Democratic party secure against the new organization. It is a good joke for one to proclaim himself a "Know-nothing," and for the sake of the joke alone many Democrats will enter into the organization. The prestige of success will make the party formidable for a year or two, but I anticipate a success for it not extending beyond two years. It is said to embrace an element which I am sorry to see gaining wider expansion,—hostility to immigrants. It is true that some portion of the new comers have behaved badly; but they are not those against whom the "Know-nothings" vent their spleen. The Catholics seem especially obnoxious to them, whereas that sect seems to me to have been particularly faithful to the Constitution of the country, while their priests have set an example of non-interference in politics which furnishes an example most worthy of imitation on the part of the clergy of the other sects at the North, who have not hesitated to rush into the arena and soil their garments with the dust of bitter strife. The intolerant spirit manifested against the Catholics, as exhibited in the burning of their churches, etc., will, so soon as the thing becomes fairly considered, arouse a strong feeling of dissatisfaction on the part of a large majority of the American people; for if there is one principle of higher import with them than any other, it is the principle of religious freedom. But I do not mean to write a disquisition on passing scenes. They are certainly gloomy enough to disturb the quiet of any patriot, and even to break the repose of my retirement; but "*non nostrum tantas componere lites*,"—and so let it be.

I am still undecided as to whether I shall go North or to our Western mountains. True wisdom might dictate a quiet sojourn at home; but something is due to the wishes of others, and it is but reasonable that Julia should like to look out on the great world once a year.

I see the cholera prevails in all the cities. I hope you will all take care of yourselves. Should it become epidemic, do withdraw from Philadelphia and visit it as rarely as possible. My own health is fickle. Sometimes quite

well, at others bad. Upon the whole, I am better than two years ago. Letty left us on Saturday for the Fauquier Springs, *via* Norfolk and Baltimore. Her health is delicate, but improved. I am quite anxious to see you all, to whom give my love. Your father, J. TYLER.

I am honored with the degree of LL. D. by William and Mary. Amherst, Mass., conferred the degree twelve years ago.

The Democracy of Virginia prepared to meet the danger with perfect coolness. Mr. Tyler was rejoiced to see them put forward as their standard bearer the friend who in past times had shown himself to be a man of the most inflexible courage and fidelity. All the rare counsel of Mr. Tyler was freely furnished to save the State from an evil which threatened to prostrate all confidence between man and man, and overthrow society itself. The great victory of Wise, in its literal annihilation of the "Know-nothing" party, was felt by Mr. Tyler as a victory of his own; for everywhere that Wise appeared he denounced and satirized by turns the "Know-nothings," and brought Mr. Tyler's administration in full stature before the people. It is to be deeply regretted that the correspondence of Mr. Tyler and Mr. Wise has not been preserved. The loss of Mr. Tyler's letters in the Richmond fire in 1865, even to a full and complete account, written in his own hand, concerning his administration, has been noticed before. Mr. Wise's letters were seized during the war by the Federal authorities; and though after the war a pretense was made of their return, it was found on examination that all the letters of value had been abstracted. The correspondence of Robert Tyler, however, has been preserved, and serves fully to explain the issues of the period of Mr. Tyler's retirement:

[TO ROBERT TYLER.]

SHERWOOD FOREST, *January 6, 1855.*

DEAR ROBERT: Your letter reached me the day before yesterday, and I take advantage of the James river steamboat to answer your enquiries about my health. The attack which I had in Philadelphia on my return home gradually wore off, and for the last two months I have been nearly as well as usually has fallen to my lot. I find that I cannot indulge in sweets or acids, and avoiding them I get on very well. The country around has been unusually gay this season, and I have participated in all the gaiety with as much zest as in early life. Mrs. Ritchie, late Mrs. Mourat, passed Christmas at lower Brandon, and we paid her a visit, and invited her over to an evening

party. She accepted the invitation, and we invited all the country around to meet her; but the mist and wind prevented her and her party from crossing the river, and thus we were disappointed in seeing her. We nevertheless had a large assemblage for the county, and before midnight "the fun grew fast and furious."

As to the proposed mediation in the affairs of Europe, I can only say that it is one of those measures which is very much of a negative character, implying good will to the human family, and very little else. It leaves the government just as it found it, uncommitted to either side in the contest, but desiring only the peace of the world. If the proffer was rejected, the thing would end there, with probably an increase of regard for us on the part of each belligerent. If accepted, a serious and difficult task would devolve on the arbitrator. The Eastern Question might easily enough be settled if there were no secret motives and designs on the part of the parties to the contest, but not more than a moiety of the grounds of the contest is developed to the eyes of the world.

Russia makes demands in the name of religion, which means but little more than a desire to clutch the Bosphorus, and thus enable her to give law to the commerce of the Mediterranean. England desires the destruction of the Russian navy, and thus to secure to herself the control over the Baltic and Black Seas, which are now monopolized by Russia. While Louis Napoleon fights for his prolonged sway in France, which he apprehends can only be maintained by drawing public attention from himself to conflicts and sanguinary battles in distant lands. What motive governs Austria, I am utterly at a loss to divine. The creature of legitimacy, she was against the great power which, when popular insurrections break out, can alone give support to the throne of her monarch. It has always seemed to me that true policy made her an ally of Russia, and that her compensation for war expenditures was to be found in Bosnia and Servia. Thus, you perceive, the arbitrator would have a difficult task of it to reconcile these conflicting, but secret views. The possession of Sebastopol and Cronstadt gives the possessor control over the commerce of the Euxine and Baltic; and Great Britain will expend her last shilling in order to obtain them. No arbitrator, I presume, would decide that Russia should surrender them, and therefore the difficulty of settlement. If peace should ever be patched up on other and more open points of dispute, this great bone of contention would soon lead to another war. Great Britain can bear no co-rival upon the seas of the earth, and with the supremacy of her navy brought into peril, the banner of St. George will share the fate of that of St. Mark at Venice.

I see no objection to tendering through an envoy *extraordinaire* the olive branch to Europe. If it does no good, it does no harm; but I have little belief that it will be accepted. These views are for your own eye. If such a thing as a tender of such mission should be made me, accompanied with such outfit as the occasion would demand, I might take its acceptance under serious advisement; but I anticipate nothing of the sort, and there is an end of it. . . .

With love to all, in which Julia unites. Your father, JOHN TYLER.

[JAMES BUCHANAN TO ROBERT TYLER.]

LEGATION OF THE UNITED STATES, LONDON, *Jan. 18, 1855.*

MY DEAR SIR: I have received your kind letter of the 19th ultimo, and it has afforded me, I was going to say, unmingled pleasure. There is one expression in it, however, to which I cannot subscribe. I affirm in the most positive terms that I have always "done real justice to your personal attachment to myself and to my political character and fortunes." You have always held a *very high* place in my regard, quite as high as that of any other friend, and I have been happy to believe that this feeling has been cordially reciprocated on your part. I can now say this without suspicion, because *I am not, nor shall I be, a candidate for any office.* I hope, however, should life and health be spared, yet to pass many a happy hour with Mrs. Tyler and yourself.

Miss Harriet often speaks of you both, as well as the children. She is now absent as bridesmaid at the wedding of Miss Jackson, near Liverpool, a daughter of Mr. Washington Jackson, formerly of Philadelphia. I do not think there is any danger or any hopes, as the case may be, of her marriage to an Englishman. I think as you do on this subject. You are mistaken in supposing that I hear much or often from Philadelphia. The reverse is the truth. Judge Campbell and Mr. Hunt never write, and it is a long time since I have received a letter from Van Dyke. I regret, nay, I deplore, the divisions among my friends; but I have no right to sit in judgment upon them. Besides, I am totally ignorant of the cause of the rupture. They all stood by me faithfully in the hour of trial, and my gratitude shall only terminate with my life. This feeling is as strong as you could desire it to be towards yourself.

I have full faith in the election of our friend Wise, "that terror of the Greeks, that man of men." His energy, his ability, his eloquence, and, above all, his righteous cause, will bear him in triumph throughout a contest before the sons of the Ancient Dominion. God grant that I may not be disappointed! He is sustaining the cause of religious freedom and constitutional right against a secret political society whose principles are at war with both. Still, nothing can be so bad that there is not some good in it, and the good in the Know-nothing organization is their apparent determination to put down the slavery agitation. Whether sincere in this or not, it will have some good effect in the North. It will at least be an obstacle to the current of abolition. It astonishes me, however, I confess, to learn, as I have done from several sources independently of your letter, that the Know-nothings are making considerable progress in the South. I am informed that Southern Whigs are willing to unite with them for the purpose of breaking down the Democratic party. This they cannot accomplish. That great party will again, Antæus like, rise from the earth with increased power and energy. It is true that, in the mean time, much harm may be done, but this will only make our triumph in the end the more certain and decisive.

The war against Russia is emphatically a war of the people of this country, and they are annoyed to perceive "their cousins on the other side of the Atlantic" sympathize with their enemy. They do not believe in high quarters

here that the negotiations at Vienna will result in peace. Still, I do not consider this improbable, as the Czar is a wise man, and the odds against him are now great. It is certain that he will not be able at this time to annex Constantinople, which has been the object and the aim of Russia for a century. This object she will never abandon.

Ireland now seems to be, and I believe is, entirely loyal to the British Crown. Indeed, there does not now appear to be a particle of discontent there. Such is the concurrent testimony of all those acquainted with the country with whom I have conversed. What a wonderful change!

In regard to my condition here, I have nothing now to communicate. I get along very well, but am gratified with the anticipation that I shall be at home before the close of the present year. My labor is hard; but to this I have been accustomed.

With my kindest regards to Mrs. Tyler and your brother, I remain, faithfully,
Your friend,
JAMES BUCHANAN.

[TO ROBERT TYLER.]

SHERWOOD FOREST, *January 20, 1855.*

DEAR ROBERT: Your letter of the 6th reached me on Friday, and I now return Buchanan's letter to you. It is very friendly, and leaves no room to doubt the sincerity of his feelings towards you. I should respond to it in the most cordial manner, so as to leave no room for him to doubt the sincerity of my friendship. In replying I should give him an epitome of the politics of the country without denouncing any party or any man. There is one point on which I doubt not he would like to be informed, and that is the true feelings of the country as to the European war. When the war commenced American sympathies were all in favor of the Turk; but Lord Clarendon's remarks, when speaking of the alliance with France, and the remarks since of the London *Herald* and other newspapers, have produced a counter feeling. We look to it now as certain that if success crowned at any short time the arms of the allies they might exert any active interference in the affairs of this continent. But one consideration would prevent it, and that is they might prefer to seek a dissolution of the Confederacy by stimulating agitation through the slavery question.

I think we shall carry the State for Wise. He has actively begun the canvass, and has laid down for himself the task of speaking in every county in the State. From what I hear of him, he wins golden opinions from all parts. The whole population crowd to hear him. If he was not made of metal more enduring than iron, he would wear himself out. He denounces and satirizes by turns the *Know-nothings*, and brings my administration in full stature before the people. The Democratic press, in order to sustain him, has to eulogize me; and thus Mr. Wise's nomination has been better for me than any other incident which has occurred. My hope is that he will gain as many Whig votes as he will lose Democratic; for while the majority of the Whigs will unite with this secret party, making no nomination themselves, and taking that of the *Know-nothings*, yet many are averse to such union, and avow their intention of voting for Wise. The talk is that Dr. Mallory

will be their candidate for governor; and if so, the extraordinary spectacle will be presented of the only two men from the South who were members of the "Corporal's Guard" being run for that high office. *Magna est veritas et prevalebit.*

. . . . My love and kisses to the children.

Your father,

JOHN TYLER.

[WISE TO ROBERT TYLER.]

WASHINGTON, *May 28th*, 1855.

MY DEAR SIR: I thank you for yours of yesterday. The Virginia victory is about eleven thousand strong in number of votes, and far stronger still in a purified and exalted personel of party. Never has there been a State election fuller of morals than this, and more purely upon *principle* alone. This exalts it into a national effect. What that will be depends on how the powers that be will apply it to its uses.

Reorganization is what is wanting with us, and what the foe will be driven to. The Virginia rock rolls back the tide through Pennsylvania, I hope, to the Massachusetts' Hall.

I have had no affiliation whatever with Mr. Forney. He has professed personal kindness to me, and I have shown it to him,—that is all. There has been no dependence between us.

I shall be glad to see you any time at my house. The *Gladiator* steamer goes from South street, Baltimore, every Monday and Thursday, at 6 P. M., and lands within twelve miles of my house. A line to me a week beforehand and my rockaway shall meet you at Pungoteague wharf. I go home to-day.

Yours truly,

HENRY A. WISE.

[JAMES BUCHANAN TO ROBERT TYLER.]

LEGATION OF THE UNITED STATES, LONDON, *3d July*, 1855.

MY DEAR SIR: I have received your favor of the 7th ultimo. The election of Wise was indeed a glorious triumph of the right. It is long, very long, since any event has afforded me so much personal gratification. The man and the cause were both dear to me, and the man was worthy of the cause. Notwithstanding our victory in Virginia and the division of the Know-nothings in their convention in Philadelphia, we must not despise the strength of our enemy, and I am glad to perceive from the tenor of your letter that this accords with your own opinion. Many a good cause has been lost by over-confidence. My letters from the interior of our own State are encouraging. One of them says, "The panic among our friends has passed off; the energies of the Democracy are roused again. The strength of the Know-nothings has departed.

'They came as fleet as forest deer,
We'll drive them back as tame.'"

I have been much gratified at your bearing in the contest. It has been eloquent and effective. I wish you all the success your heart could desire.

I shall send you some late London papers by the gentleman who bears this, which will give you the political news.

In regard to myself,—as the time approaches which will relieve me from this mission and take me home, I feel more and more anxious to return to my native land. I would be ungrateful should I not always retain a proper sense of the kindness with which I have been treated in this country, but yet I shall leave it with pleasure. It is certain that the governing classes have lost much in the estimation of the British people by their management of the war in the Crimea; but it is still very doubtful whether the present agitation in favor of administrative reform will prove successful. Nothing is more true than the old saying that “John Bull loves a Lord.” Year after year reports are made in the House of Commons in favor of necessary and wholesome reforms; but year after year the efforts of reformers are baffled and defeated. The aristocracy dread any change in the existing system, and never yield to it unless the force of public opinion can no longer be resisted. Besides, this is certainly the age of mediocrity in England, and it would be difficult to find the right men for the higher places.

Miss Lane is now in the country, at the seat of Sir Fitz Roy Kelly, or she would desire to be most kindly remembered to Mrs. Tyler and yourself.

The presidency is a matter which I have dismissed from my thoughts. I shall not be a candidate for that office, and have lost all desire to enjoy this most distinguished honor. Still, your position not to take a stand at too early a period in favor of any individual is doubtless the prudent course. Your weight in favor of any individual will be more justly appreciated. I do most sincerely desire that the Democracy may be able to agree upon a candidate who will unite all the factions of the party and be triumphantly elected. I understand that General Pierce’s friends will urge him as a candidate. With what effect you can better judge than myself.

With my very kindest regards to Mrs. Tyler and my little favorites, I remain, as ever,

Sincerely your friend,

JAMES BUCHANAN.

A circumstance here should be stated that entered in no small degree into the political complications of the period. This was the *momentum* given the anti-slavery cause by the publication of Mrs. Stowe’s work, “Uncle Tom’s Cabin.” It was a libel with a coloring of truth, like the famous charge against Adams and Clay of bargain and sale, and, like that, was a sensation. The sale of the work was something enormous, and was by no means confined to this country. Falling in with the spirit of the times, it induced on the part of a number of ladies of England, the Duchess of Sutherland, the Countess of Derby, the Viscountess Palmerston, the Countess of Carlisle, Lady John Russell, and others of distinction and notoriety, the publication of an address to the ladies of the South upon the subject of the abolition of slavery, in which the sufferings of the

colored man were represented in the most lively colors. This interference from the soil of England, whose policy had caused the Iliad of our woes, was naturally distasteful to Virginians and the South in general. Mrs. Tyler, the wife of the ex-President, replied to it in the name of the Southern ladies, in a formal letter, dated January 24, 1853, which was published in Europe, and was received by the South with evidences of hearty approbation. The institution of slavery was defended by Mrs. Tyler as the temporary outcome merely of political necessities, and its cruelties as alleged indignantly denied.¹

Immediately after the victory of Wise, the contest began in the bosom of the Democratic party as to who should be the next candidate for the presidency. In reply to the urgent enquiries of Robert Tyler, who was located in Philadelphia, and stood on the most confidential terms with Mr. Buchanan, the latter then minister to England, with the usual modesty of the presidential aspirant, declined allowing the use of his name in the coming canvass. He was not, nor should he be, a candidate for any office.

The declination of Buchanan directed the preference of his friends in the South to Governor Wise. His recent success had given him a commanding influence in the country, and roused once more the hope of electing a Southern President. The following interesting letters show the drift for the time of the political waters :

[HENRY A. WISE TO R. TYLER.]

ONLY, NEAR ONANCOCK, VA., *October 12, 1855.*

MY DEAR SIR: Your efforts to bring forward my name for the highest honors are certainly worthy of a better cause and better candidate; but you will find yourself, perhaps, proscribed for the sin of the attempt by all the spoils-men of party. I have never had more than a mere hope of carrying Pennsylvania. There is too much *Free-soilism* in her to expect a union with the South, except upon a candidate of her own. That was the main cause of my supporting Mr. Buchanan so heartily—it was to bind Pennsylvania to Virginia. But the State of Pennsylvania has a knack of devouring her own offspring. She has never promoted her own sons, and her whole social organization is opposed to us. *We will never make any more compromises.* If we go North for a candidate, it must be for a name that is a tower of strength there to bring the mountain to us.

¹ Mrs. Tyler's letter may be seen in the columns of the *New York Herald* for January, 1853, as also in the February number of the *Southern Literary Messenger* of that year.

I agree with you that, if we would for the present preserve the Union, we must make the North apprehensive of its fate. Yet how? Not by any attempt at Southern conventions. They have ever failed, and will. No irresponsible body can control an agricultural and scattered population. A bold man in place, having their confidence, can alone arouse and unite them. A single state authority can do more than volunteer conventions. Wait awhile, watch events, and if they do not come right of themselves, we will see whether some one cannot be found or will not rise up to *make them* come right. I send you an article from the *Delta*, a source I did not expect such spirit from. Pierce has no chance. Whoever has a chance *must not* be too rapidly pushed forward *now*. You must patiently wait for Mr. Buchanan to move, and give the cue to his friends. If he cannot be a candidate himself, and he cannot, I have no idea he will take part for anybody. He could ensure my nomination, if he would.

Yours truly, HENRY A. WISE.

I have no reason to doubt Cadwallader.

[HENRY A. WISE TO ROBERT TYLER.]

ONLY, NEAR ONANCOCK, VA., *September 23, 1855.*

MY DEAR SIR: I have no idea that any slave-holding Democrat can get the next or any nomination hereafter for the presidency. Free-soilism will run rampant ever all considerations of constitution, or Union, or country. My only fear is that it will tempt and frighten the time-serving aspirants of the South to distract and divide, and it may be to paralyze us. For myself, I have no compromise to make with it, and would, by the Eternal, shoot any Southern traitor who would bargain away our property, and our *honor* especially, to its demands. And thus resolved, I mean to continue to act as if I was not thought of for any place of political preferment. There shall be no scramble in Virginia or the South, if I can help it, for the nomination of the presidency. I will not consent that my name shall be used to divide our people, and my friends shall act with Hunter's, or it shall not be my fault. I shall urge the preparation of the State for events which are casting their substance more than their shadows before them; and if the worst comes to the worst, I will not wait on Virginia soil to fight the battle,—the African war shall go into Africa.

Pierce will try to run again. Marcy is a candidate, and I fear a faithless underground candidate. He could have prevented the Soft movement. Buchanan will try to run, and so hard that he cannot be of any service, resulting or direct, to any friend who might by his influence succeed if he was out of the way. As to the Hards in New York, Ward is a type of them, and none so tricky as he, except, perhaps, old Dickinson. So hops the chance—lamely, lamely—for the good of the country. God defend us!

Yours truly,

HENRY A. WISE.

[TO ROBERT TYLER.]

SHERWOOD FOREST, *November 19, 1855.*

DEAR ROBERT: Your letter of the 2d, with the postmark of the 8th, reached me on Friday, and I now endorse the four notes as required.

The course which you suggest for my political conduct is precisely that which I have adopted. I am in all sincerity for Mr. Wise, and shall truly rejoice if one so correct in opinion, and so honorable in action, can be elevated to the presidency. If he surrounds himself by councillors of the same high type with himself, the country might be saved. But I confess that I am almost in despair, although I bear constantly in mind the Roman maxim, never to despair of the Republic. Have you read in the *Herald* of last week the article from the *London News*? It is a direct appeal to the North to break up the Union, accompanied with a long and bitter tirade against the South. If there is not patriotism enough in New England to revolt against that, or if the scales over their eyes is not removed by it, then treason is spread broadcast, and it takes no ghost from his grave to tell us that the end is nigh. Rely upon it, that the next four years will prove to be the turning point of our destiny, and that it requires no ordinary man at the head of affairs to weather the storm. I even doubt whether the presidency would be desirable. He would be but a wreck in history, whose administration should witness a destruction of the government. But I must here end my gloomy reflections, as I have to avail myself of the passing boat for this letter.

Your father,

JOHN TYLER.

The effort to procure Mr. Wise's nomination was found impracticable, and Mr. Tyler's friends fell back once more on Buchanan, who once more "sacrificed" himself to the wishes of others, as he had done continually since 1844.

[WISE TO ROBERT TYLER.]

ONLY, NEAR ONANCOCK, VA., Nov. 18, 1855.

MY DEAR SIR: You are perfectly right. Our policy is to go in for Buchanan with all our might. If we can elect him, it is the best which can be done. I will support him as I did before, but I fear Virginia will not be brought up so strong for him as in 1852. If he is not nominated, he and Pennsylvania at his back can say who shall be. That is clearly our game, and the thing now is steadily to pursue it. I have been writing to our friends in Virginia to go in again for Buchanan. It is said Hunter is for Pierce.

Yours truly,

HENRY A. WISE.

[FROM ROBERT TYLER.]

PHILADELPHIA, December 23, 1855.

MY DEAR FATHER: I only remained in Washington a few hours, and was not able to write to you from that point. I found Wise having quite a kind reception from members.

He told me confidently that neither Buchanan nor Hunter can be nominated. Mr. Buchanan is very strong. I had a letter from him on yesterday, in which he swears eternal friendship at all hours. I have requested John (who is well again) to send you a copy of the *Citizen* newspaper. The Pennsylvanian has continued its attack on me, but without effect, except to

hurt itself. My friends stand firm everywhere. The movement will be a great success in the end.

My family are all well, and Priscilla sends her love, and will write to Julia soon. They are busy with the Christmas party. My best love to Julia, and kiss the children. The house will be finally organized (if at all) on a *strictly sectional line*. The national Know-nothing party (thirty-three of them who have been voting for Fuller) will break up—the Southern men will go South, and the Northern men North. I think Banks or some one like him will be elected.

Many of the papers have published my letter, and I am evidently reacting on the public mind.

Your affectionate son,

RO. TYLER.

[TO MRS. BEECKMAN.]

SHERWOOD FOREST, *December 25, 1855.*

MY DEAR MARGARET: If you are half as merry as we are here, then you are all as merry as I could wish you to be. It is on the morning of Christmas that one realizes the happiness of having a house well filled with children. All the barrels and boxes sent by the *Roanoke* reached us at four o'clock on yesterday, and the hobby horse, coming unboxed, caught the eager eyes of all the children. Time was scarcely given the wagon to reach the door before it had been seized upon, and, with the assistance of Andrew, was placed in the dining-room, and mounted in succession by each, Lachlan, of course, having the first ride, as the horse was his. Their anxiety to see the contents of the boxes became intense, but was only partially gratified. Julia's doll was roused up from its repose, and was in a short time opening and shutting its eyes amid constant exclamations of surprise. Then came a strong desire on the part of us all to see your contributions to the Fair. The room was crowded with an anxious group, and upon the opening of boxes containing the needle-cases and pin-cushions, all united in expressions of admiration. The doll was only so far uncased as to exhibit her face and feet and a portion of the dress, and Mrs. Beeckman's taste and skill was pronounced to be unmatchable. Julia will follow your instructions in regard to the display and disposition of the articles, and thinks of disposing of the doll by raffle if auction does not succeed.

The children last night hurried to bed at an early hour in order to sleep away the tedious hours which were to elapse before the dawning of day, but I went into Gardie and Alex.'s room at near eleven o'clock, and sleep had not visited their eyes. They were watching for Santa Claus, and complained of his tardiness. Being told that Santa Claus objected to being seen, and did not like boys to watch for him, they finally went to sleep; but the day had not fairly dawned when their exclamations filled the whole house.

Having dispatched the sweet things, they then opened their toy boxes. Gardiner is still (eleven o'clock) carrying on the siege of Sebastopol; Alex. is busily engaged with "Whittington and his Cat;" Julia arranges her furniture; Lachlan spurs up his horse, and Lionel¹ (last, though not least) calls for

¹ Lyon.

his drummer. A happier concern you rarely ever saw. I only wish that all of you were here to look upon the scene.

Julia was so very much fatigued yesterday as to devolve on me the task of writing. The Fair comes off to-morrow, and she will give you a full account of it. Governor Floyd and lady have not reached us, and I suppose will not. We have had bad weather, and the mist is still excessively dense.

I hope that none of you have headaches or pains, and that the new year will rise upon you with prospects of good health. Many merry Christmases to one and all. Affectionately yours, JOHN TYLER.

[GOVERNOR WISE TO ROBERT TYLER.]

RICHMOND, VA., *January 13, 1856.*

MY DEAR SIR: As you say, I am regularly installed in the Virginia government house, and I find it full of hard work, but am content with its duties. The other house of which you speak does not tempt my eyes in the prospect. I have tried my best with my friends to prevail on them to go for Buchanan again as before, but *it is no go*. Between ourselves, he cannot run at all in this State for the nomination. Our people will go either for Hunter or myself, and there is no doubt that 'he former has no strength of moment in our Legislature. Unless he is stronger in the coming State convention, on the 28th February, he will not be named by a Virginia delegation. For myself, I am committed to no one candidate. Pierce nor Buchanan, for either of whom I would go, cannot get a vote here, and if our delegation do not take me up, they will be most likely, I apprehend, to go for Douglas. But the truth is, there are but few developments. If Mr. Buchanan had responded candidly to my enquiries in time, I might have seized the right moment for him; but he was too coy and diplomatic. I now cannot lead, and I know not who can. But I will be wise as a serpent and harmless as a dove, committed to no candidate, and with well wishes to each who may be named. I shall be extremely wary and reserved.

We are buried in an unexampled snow. Mrs. Wise is better. Next week you will probably see some special messages from me. One respecting your Independence Hall movement, and one relating to some Vermont resolutions about Kansas. Very truly, your friend, HENRY A. WISE.

P. S. To-day's intelligence compels me to condole with you upon the death of that *good man*, your uncle, Wm Tyler.

RICHMOND, VA., *February 18, 1856.*

MY DEAR SIR: I have not had time before to-day to reply to yours of the 7th and 11th. You did well to nominate Mr. B. in Philadelphia. Hold on to him until all hope of his nomination by the Cincinnati convention is lost. We have counted votes here, and *Hunter cannot* and *I can* get Virginia. Neither will be named by their State's convention on the 28th. Nobody will be. My friends stand in the House of Delegates *sixty-five*; Hunter's *fifteen*, and *sixteen* scattering, divided between Buchanan and Pierce. If I desire it, I can get a nomination for myself—for no one else. I will not take it. My friends will be instructed to go first at Cincinnati *bona fide* for Buchanan, and

then for Hunter or myself, whichever fairly this State prefers. His friends will go first for Pierce with some instructions; but our vote will be *a unit*—for Buchanan *first*, as I say. Give this out to our simon-pures alone.

Yours truly,

HENRY A. WISE.

RICHMOND, VA., *March 17, 1856.*

MY DEAR SIR: I wrote to you about the Virginia convention. It was ten to one for *me* against the world; but I gave the cue to go for Buchanan, and our friends are active for him, and *bona fide* too. There is a Douglas clique, Floyd, General Chapman, and Leake, who may try to split us; but the majority of districts will be for Buchanan. I think the State is safe, but we want a leader untrammelled, and the State convention did not order the delegation to vote a *unit* vote. This was unusual, and may make mischief; but I am very confident we will work through all difficulties.

Wm. L. Jackson, late State treasurer, is going to Washington, and will meet you there. Confer closely—confidently, I mean with him. Douglas is working with Hunter. It is a weak card with him. I do not know how *I* can approach C——. You can do that better. Pierce will give up, I fear. It would not help Buchanan for him to do so.

Yours truly,

HENRY A. WISE.

RICHMOND, VA., *May 1, 1856.*

MY DEAR SIR: I rejoice that Mr. Buchanan has been so well received. The refusal of Independence Hall did not hurt him any. I fear that the *Pennsylvanian*, *Sentinel*, and some other of his papers, will hurt him. But Virginia will give him twenty out of thirty of her delegates at Cincinnati—*voting a unit*. This is right enough, for it leaves no room for grumbling.

I don't know Judge Black. I don't know how to write to him. I don't know Bigler either, and it is well to let each paddle his own canoe. I can't depart an inch before the public from my New York letter. It is most politic and fair here, and is intangible everywhere. My friends will go *bona fide* with Pennsylvania as long as there is hope. Your father delivers his lecture to-night. I must go and hear him. Haven't seen him yet.

Yours truly,

HENRY A. WISE.

[BUCHANAN TO ROBERT TYLER.]

WHEATLAND, 7th *May*, '56.

MY DEAR SIR: I have received your several kind letters; but to answer any letters at the present moment I sincerely regret is impossible. I do not get time even to read them all until after night or the next morning early. I have no person to assist me.

Wise is a glorious fellow, for whom I entertain the highest respect and warmest attachment. I thank you for the information about Virginia which you have communicated.

With the kindest regards of Miss Lane and myself for Mrs. Tyler, I remain always, your friend,

JAMES BUCHANAN.

[WISE TO ROBERT TYLER.]

RICHMOND, VA., *May 19, 1856.*

MY DEAR SIR: The agony is so nearly over in Virginia, that I may halloo, "clean out of the woods!" We have been very forbearing and indulgent towards the enemy, and they are ours at discretion. The vote will be twenty-two to eight.

For Buchanan: Wheeling, Weston, Monroe, Abingdon, Winchester,	
Rockingham, Franklin, Norfolk, and Accomack—9 districts,	18
One in Fauquier, one in Albemarle, one in Bocock's, one in Richmond,	4
	— 22
Anti-Buchanan: Petersburg and Tappahannock—2 districts,	4
One in Fauquier, one in Albemarle, one in Bocock's, one in Richmond,	4
Delegates: 22 to	— 8!
Districts: 9 to	2
Divided: 4 districts; 8 delegates.	

They will try to coax us to give a *complimentary* vote for Pierce. Douglas will not, it is said, run on the first ballotings. Bright declines running for the presidency. *He hopes to be Vice with Hunter.* Mayor Wood says to me New York will vote with us, if the *Softs* are admitted.

Very truly,

HENRY A. WISE.

[BUCHANAN TO ROBERT TYLER.]

WHEATLAND, 23d *May, '56.*

MY DEAR SIR: I have received your kind note of yesterday week and extract from Governor Wise. He is a noble fellow, to whom I have been warmly attached for many years, and I may say the same in regard to yourself, though you will admit I am no flatterer. *I fully appreciate your friendly services, and they are recorded in my heart.*

You have perhaps a little too much of the sensitiveness which belongs to genius. No man has ever intimated to me a doubt of your friendship. On the contrary, you are always spoken of with praise in my presence. It is but this morning that Forney spoke to me in strong terms of your efficient services.

I say to you now, what I would not have said to you last night, that should the "Old Dominion" stand firm, it is my opinion my friends will succeed at Cincinnati.

In haste, I remain always, your friend,

JAMES BUCHANAN.

[TO ROBERT TYLER.]

SHERWOOD FOREST, *June 10, 1856.*

DEAR ROBERT: I suppose this will reach you rejoicing in the glories of your trip to Cincinnati. If rumor speaks truly, Pennsylvania has a prospect of giving a president to the United States, I hope it may be all realized, my opinion being that if the Democratic party shall succeed in giving the factions a good sound drubbing, it will go further towards settling the distractions of

the country than all else combined. The *Know-nothing* party will entirely melt away, and the Black Republicans will either have to rush into the embraces of the Abolitionists, and recognize the lead of Garrison and Philips, or go into so violent and rabid a course as to abandon and disgust all reflecting men. With Pennsylvania true, I have no fear for the integrity of the Union and the Constitution. My only fear is the former associations of Mr. Buchanan. If he still continues wedded to the men who most figured as partisans during General Jackson's administration, he will share the fate of Polk. He ought to know by this time that they bring nothing with them but antiquated error and positive weakness. The course of his friends, Blair, Abijah Mann, Preston King, etc., etc., ought to open his eyes. . . .

Let me hear of all your doings at Cincinnati.

With love to all, your father,

J. TYLER.

[FROM ROBERT TYLER.]

PHILADELPHIA, *June 13, 1856.*

MY DEAR FATHER: I have just received your letter, and the rumor to which you allude is sustained, unlike many rumors, by the reality. Mr. Buchanan is nominated, and he is clearly indebted to Virginia for the nomination. Mr. Wise is in truth the Warwick of the hour.

Mr. Buchanan has written me *the warmest sort of letter*. After all, I do not know what he can do for me.

I met with a great deal of notice and consideration at the convention, and your name was mentioned always with praise and admiration. My friends gave me a splendid banquet, and a military escort. They have also ordered a full-length portrait to be taken for one of their halls. I made three or four speeches while in Cincinnati, but my banquet speech was the best. I was in the best temper possible, and altogether pleased the company and myself—the latter a difficult thing to do. There was a talk, at one time, about the possibility, on certain contingencies, of my name being suggested for the vice-presidency (think of that); but I laughed it off, when mentioned to me, as a good joke.

If I were a rich man, and the Union does not "slide," I might be something yet. But as it is, I float helplessly on the waves of doubt and debt.

Your letter to the black man (Butler) is exciting unusual comment.¹ If we could only avoid senatorial flagellations,² and have occasionally a letter like this of yours, the benefit would be incalculable. What a precious thing it is to have a little common sense! . . .

RO. TYLER.

The nomination of Buchanan by the Democratic party was soon followed by the exciting canvass of 1856. The Whigs and "Know-nothings" combined, ran Mr. Fillmore as their candidate, and the Free-soilers, John C. Fremont. The organization of

¹ This was a kind letter of Mr. Tyler to a colored freedman who visited the State.

² This alludes to the collision between Brooks and Sumner in the Senate chamber.

Kansas, under the bill of Mr. Douglass, was followed by a contest between the sections for the occupation of the Territory. The evils of agitation immediately showed themselves in blood, force, and arson. A Territory which otherwise would have peacefully entered the Union as a community without slaves was now made the field of immigration, precisely because of the provocation of Free-soilism. The aggression of the North produced a similar spirit of aggression in the South, and in Kansas, the two forces meeting produced the first shock of collision, which was soon to extend to the whole Union.

The party in favor of slavery had at first the advantage from the contiguity of the slave State of Missouri, which upon the first agitation poured its population into Kansas. It happened, therefore, that the pro-slavery party prevailed in electing a majority of the members to the Legislature as provided for under the bill organizing the Territory. On the pretext, however, that frauds and violence had been committed in the elections sufficient to defeat the will of the people, those who constituted the Free-soil party in the Territory established at Topeka an independent government. A war arose between the parties, and many atrocities were committed on both sides, which, in 1857, led finally to the dispersion by United States troops of the rebellious body at Topeka. In 1855 the Territorial Legislature passed a law for taking the sense of the people of Kansas upon the expediency of calling a convention to form a State Constitution at the general election, to be held in October, 1856. The sense of the people was accordingly taken, and they decided in favor of a convention. Ere the decision was made, and while the battlements of the government were shaking like a reed in the wind, from the passions that were exploding all over the land, the people of the United States proceeded to choose their last president under the old regime. In the South it was universally felt that the election of Fremont "would be the knell of the Union." Happily, James Buchanan was elected over both Fremont and Fillmore.

[To MRS. BECKMAN.]

SHERWOOD FOREST, *July 3, 1856.*

DEAR MARGARET: As I intend visiting Williamsburg to-day, in my official character of rector of William and Mary College, I take advantage of the steamer to inform you of my arrival home, and of the incidents of my jour-

ney. The Colonel and myself, soon after our separation from your mother, returned to the La Farge, where everything was so neat and clean that I really regretted leaving it the next day. We met Wm. Cost Johnson in the street, and he accompanied us to the hotel, and possessed me of a great many political incidents. He finally took his departure, and David and myself remained quietly in our rooms, with the exception of a short promenade, until the morning. They had assigned me a parlor and bedroom adjoining, and manifested every attention. Your mother told you, I suppose, of our meeting Mr. Preston, of Kentucky, in the street, and of his mentioning the intention of Mrs. Preston and another lady, with himself, of visiting Sherwood Forest. I neglected to enquire the time.

The next morning I took the cars, and knew no one, so that I had no other company than my own thoughts until I reached Bordentown. There several persons approached me, and made themselves known—one as a trustee of a school, another as agent of some company, and the third claimed great consideration for having supplied everybody in New England with a clock at fifteen shillings apiece. Everybody in New England is certain to make known his employment. Well, I passed, without stopping, through Philadelphia. There I fell in with an acquaintance from South Hampton, Virginia, who was returning with two daughters from Mrs. Willard's school at Troy. We reached Baltimore in time for the boat, and the first person I saw was the indefatigable Lestor. He was upon the watch for another, but accompanied me to the boat. I need not add that he made many enquiries, and finally bade me adieu, after loading me with oranges for Julia. I found myself the next morning at Old Point, where there was a pleasant company of about two hundred persons. Many were glad to see me; and soon after breakfast the great guns of the Fort announced my arrival to the surrounding country. In the evening the officers waited upon me, and the band poured forth its mellifluous strains in front of the hotel. My friend, Col. Armistead, of Alabama, with two daughters, one married and the other single, was there, and will be here on Monday. One of his daughters married a son of Governor Fitzpatrick, and the single daughter is handsome. Next morning I happily found myself on board the "Curtis Peck," amid many acquaintances, and reached home, finding Julia well and the children with the chicken-pox; and so ends my catechism.

We have just finished harvest, and are anxious for rain. The crop of wheat is short. I am now much better than I have been since we commenced our journey. Julia received your letter, and one from your mother. She wrote you hastily yesterday, and says she will write your mother to-day. I hope that you have overcome the sickness under which you labored when I left, and that your health is speedily destined to be re-established. I do not doubt but that your trip to the Rockbridge Alum will restore you. We may visit you all upon your return to Staten Island.

Do look over the papers enclosed, and put them right. I tried to be accurate. You can enter the amount at Baltimore and Philadelphia, and introduce your credits.

With love for all. Your affectionate brother,

JOHN TYLER.

[WISE TO ROBERT TYLER.]

RICHMOND, Va., July 6th, 1856.

MY DEAR SIR: I have heard from Mr. Buchanan, and believe he is in the exact mood to please his friends; but his letter acknowledging that the *people of a Territory* may pass what *laws they please* makes *much* murmuring here among *many*. I gave Bev. Tucker an analysis of his letter of acceptance the other day, which he said he would publish in the *Sentinel*. If there is a doubt excited in Virginia about squatter sovereignty, *he can't carry this State*. I will do all in my power to prevent the mischief from distrust, but it is *actively reacting here against us*. The Pennsylvania papers had better be decided in their tone upon that subject. Mr. B. will not, perhaps ought not to, respond to enquiry. Let him rest on his first letter.

I know the antipathies to me from various quarters. Let them undermine in welcome. I shall follow my notion like "Leather-stockings," and they will bite a file if they don't mind. I am more deliberate and guarded than some of my friends know of and give me credit for. If I am not, my life is too long fixed in its habits for them to be changed now. Nat Tyler, of Warrenton, will send you several copies of my ratification speech.

Douglas is a knave if he is a concealed advocate of squatter sovereignty. I hardly expect the Democratic party to last Mr. B.'s term out if he ventures to be undecided even on that question. I beg you to read my speech in the July No. of *Literary Messenger* on the 3d and 4th insts. See if it is not sound, safe and national. Have it noticed by your papers.

Yours truly,

HENRY A. WISE.

[TO JOHN S. CUNNINGHAM.]

SHERWOOD FOREST, July 14, 1856.

MY DEAR SIR: You have many thanks for your kind recollections of me from Cincinnati and the falls of St. Anthony. They were received in due season. The nomination at Cincinnati was fortunate. Although I confess to the fact, that if any one ever deserved a re-nomination, it was General Pierce, especially at the hands of the South. I suppose that it may now be set down as a fixed fact, that the Democracy has resolved upon the single term. In this view the nomination of Mr. Buchanan is fortunate. The great game is the *Union*, and with Pennsylvania sound the Union is safe. I cannot bring myself to doubt his election. Fillmore is popular with the Southern Whigs, and his Albany speech has made a favorable impression; but the impression gains ground that he cannot be elected, and many old line Whigs will vote for Buchanan. Fremont has no supporters in this region. My own opinion is, that Buchanan will be elected by a large majority. This opinion is intended solely for yourself, and because you ask it. His election will be attended by the happiest results. The overthrow of the factions will follow, and the fusionists will rally under some other name. Possibly they may go to the Abolitionists, and then a war commences, not only on the Constitution, but the Bible. Such a faction will prove harmless.

My address will appear in the *Messenger* of August. I have already told

Thompson to forward the earliest copy to the *Herald*. Keep me advised of passing events.

Truly yours,

JOHN TYLER.

[TO ROBERT TYLER.]

July 25, 1856.

DEAR ROBERT: Your letter to the Ohio people is admirable. I shall send it to Ritchie, and hope to see it in the *Enquirer*.

I almost fear the pending political contest. The Know-nothings will resort to almost every expedient to divide and distract us here at the South; and I bring myself reluctantly to conclude that very many would actually prefer the election of Fremont to Buchanan, so great is their hatred to the Democracy. The Fillmore men, with the experience before them of the election of Banks as Speaker by the vote of the Know-nothings of the North, are predicating their advocacy on the hope that there will be no election by the people,—thus incurring the certainty of the union of the malcontents upon Fremont over Buchanan. If the election came off to-morrow, every Southern State would vote for Buchanan; but there are, I fear, plots afloat which will much disturb our peace. I do not speak more openly because my fears may all vanish with the return of another day. I shall keep you advised of developments, should they be of any consequence.

Your father,

JOHN TYLER.

[WISE TO ROBERT TYLER.]

RICHMOND, VA., August 15, 1856.

MY DEAR SIR: There is not the slightest foundation for the report that twenty thousand Whigs who voted for me will vote for Mr. Fillmore. In the first place, I don't believe that one-sixth of twenty thousand Whigs voted for me. In the second place, I don't know of one of them who voted for me who will now vote for Mr. Fillmore. In the third place, I know of many, and believe there are thousands of Whigs in Virginia, who did *not* vote for me in 1855, *who will now vote for the Democratic ticket—for Buchanan and Breckenridge*. In the fourth place, whether they do or not, Virginia will vote for Buchanan and Breckenridge by a much larger majority than she voted for me. I believe the majority will be double,—mine was *over ten thousand*, and this will be over twenty thousand in Virginia.

You see how the other Southern States are going—strong and unanimous. They are united in a common purpose. They *will not* submit to a *sectional election of a Free-soiler or Black Republican*. Fillmore stands no manner of chance. If Fremont is elected, or the election is thrown into the House of Representatives, this Union will not last one year from November next. Beware the ides of November, then! For the Union's sake, keep Pennsylvania right on the track all the time. Our Southern politicians are not up to our Southern people in distrust of and dislike to the North. The feeling is bitter and impulsive in the *popular mind*, and many bad men are slyly hurrying on to a collision. *We have men*, I have no doubt, in the Democratic party in

Virginia, *who would rejoice* to see the North go for whatever would most likely dissolve the Union. I am, therefore, the more anxious. There is a wonderful revulsion in the last year here, since the people have seen the tone of the North to be that of arrogance and the assumption of superiority. This is galling and embittering them towards extreme feelings and measures. I tell you the country was never in such danger. I didn't think so a few months ago. I shall be ready. The South will be united.

Yours truly,

HENRY A. WISE.

[TO DAVID L. GARDINER.]

SHERWOOD FOREST, *July 21, 1856.*

You may have more genial seasons, but I see that the Abolitionists and their preachers keep the North country above fever heat. We are here comparatively cool. The Know-nothings and the Old-Line Whigs, or a majority of them, will sustain Fillmore; but I do not believe that the combined forces can make impression upon the popular vote. It is quite sensibly felt by all that the success of the Black Republicans would be the knell of the Union. I look, however, to no such result of the election.

JOHN TYLER.

[TO ROBERT TYLER.]

SHERWOOD FOREST, *September 27, 1856.*

MY DEAR ROBERT: . . . I know not what to say about the course which Virginia will pursue in the event of Fremont's election. The Democracy looks the danger in the face, and is prepared to meet it; but there is a large minority who are entirely indisposed to any action. They wish to see the inaugural, and to await some hostile movement. For myself I scarcely know what to counsel. To await the inauguration is to find ourselves under the guns of every fortification and our trade at the mercy of our enemies. It is, therefore, the dictate of prudence that the Southern States should understand each other at once. A concentrated movement would control the fate of the country and preserve the Constitution. I believe that such measures are looked to by those in high places in the South. A call of all the legislatures of this section to make a distinct avowal of their sentiments, and to place their States in a condition to maintain their resolves, would not fail to roll back the tide—or at least to restrain all arbitrary legislation.

But can it be that such a result as the election of Fremont can transpire? I will not believe it until it has actually occurred. My own opinions as to what we should do in such event are, as you perceive, altogether immature. The hatred of the Democracy by the Whigs and Know-nothings is so great that I do not believe that Botts is alone in the declaration that Fremont or the devil in preference to Buchanan. In Richmond the sentiment would be echoed by hundreds. Among the sounder men there I know there is great inquietude.

Keep me advised of the course of things with you, and let me have your views freely. With love to all, your father,

JOHN TYLER.

I shall not accompany Julia north. After a fortnight I may join her.

[WISE TO ROBERT TYLER.]

RICHMOND, VA., *October 9, 1856.*

MY DEAR SIR: I fear for Pennsylvania; yet I have, somehow or other, an abiding confidence in the success of our party. Your views of the present struggle are exactly correct. They are watched and acted on by me. They wouldn't abolish "cotton and sugar" slavery to-morrow or the next day. They will be masters of masters and slaves, and so *they dominate*; that is all their philanthropy. They would laugh at the honest, earnest Abolition fanatics, and themselves turn slave-traders as soon as the plantations are made tributary to the factories and their merchants and factors. I see that, and it begins to raise the query in every mind here, Hadn't we better take Banks at his word in time, and "let the Union slide"?

Botts has *no party* here; it is a tail. The dirty, mendacious coward is utterly broken down; but he has a rowdy set in Butchertown, which has always disgraced Richmond.

You may rely upon it that the vote of Virginia will stand about thus:

Buch. and Breck.,	.	.	.	.	.	90,000
Fillmore and Donelson,	.	.	.	.	.	60,000
						<hr/>
Majority,	.	.	.	.	.	30,000

Of the 60,000 for Fillmore, a third of them at least would hurrah over the election of Fremont; and if Fremont is elected I can arm and equip 50,000 men the next morning, ready for revolution! The difficulty is in holding thousands back, and the spirit is almost too irresistible.

Yours truly,

HENRY A. WISE.

[WISE TO ROBERT TYLER.]

RICHMOND, VA., *October 18, 1856.*

MY DEAR SIR: God save the Commonwealth of Pennsylvania! for she has either saved the Union, or has saved the South from the dishonor of showing the white feather. Any majority in November will be a respite. The main substance of your State election is the gain in Representatives in Congress. The trial is to come there in the House of Representatives. The *next session* the Topeka men will reject Kansas, carried pro-slavery by default. The agitation will be renewed in the *next Congress*, under Mr. Buchanan, and there will be the rub. Will a *Democratic* new House of Representatives admit a new slave State? If not, in *what* will the South have been benefited? In *that* will it not have been worsted? Ah me! the stone is a Sisyphus one, and will roll back on us unless we chock, block, and belay it, or "let the Union slide." I shan't stop in my active exertions to have Virginia "eyes right and arms bright."

I was at Raleigh, am gratified I went, and have a valuable correspondence all about and around passing events. I am flattering myself it was well for me to be Governor of Virginia just at this time. I think my race last year and success saved the Democracy; then the nomination of Mr. Buchanan, and now the Union, by creating the apprehension that I would act in resentment

and resistance to the Black Republican as well as the Dark-Lantern Knight. *After the election*, just try whether the *Pennsylvanian* will acknowledge as much. J. B. Jones tells me they will not publish my Richmond letter. How is that?

HENRY A. WISE.

[TO ROBERT TYLER.]

SHERWOOD FOREST, *October 22, 1856.*

MY DEAR ROBERT: Your letter of the 16th is before me. The result of the vote in Pennsylvania, reported in the *Intelligencer* as giving a Democratic majority of nearly seven thousand, accompanied by the victory in Indiana, and the glorious results in Kansas, have filled the Democratic people with unspeakable joy. My intelligence from New York leaves me no room to doubt of a triumph there, while my friend Stockton so plays his cards in New Jersey as to prevent any fusion, and thereby ensures the plurality vote to Buchanan.

These good tidings have all come upon me at a moment that my heart was filled with gratitude to my Maker for the rescue of my noble boy Gardiner from an untimely grave. He was on Thursday night in imminent danger from a bilious attack, which assailed him on Sunday week. He was frantic and wild beyond anything I ever knew, and opiates had to be freely administered. On Friday morning he was cupped freely in the temples—fell away into a profound slumber, from which he had not thoroughly awakened until this morning. So great has been his improvement that to-day he has been sitting up reading newspapers and amusing himself with cards. You will see, therefore, that I was in the happiest condition to enjoy the good political news. The first reports which reached the county were that Fillmore had carried your State by several thousand, and my neighbors tell me that the unfortunate and misguided Whigs sent up loud and continued shouts. The true account has abashed and overwhelmed them. A fusionist party—Fremont and Fillmore drawing in the same traces, and Southern men——“but give me some civet, good apothecary.”

If we carry the election by a large vote, Northern and Southern, I shall no more despair of the Union. Those rascals across the water are gloating over the idea of our destruction. The *Westminster Review* chaunts the praises of the Fremont party, and hails his election as the first step to dissolution; but the good sense of the country interposes a veto, and so may it ever be as to all treasonable sectional movements.

Your father,

JOHN TYLER.

I am overrun with applications from all quarters to deliver lectures. One is open before me from Cincinnati. I fear to accept on account of my health, but should otherwise be delighted to do so.

Mr. Tyler was overrun with applications to make addresses. His old popularity came back in a tidal wave. Most of the invitations were declined. Of the addresses made by him the following may be noted:

(1.) At Petersburg, in May, 1854. Subject: "The Merchants of America."

(2.) In Baltimore, March 20, 1855, before the Maryland Institute for the Promotion of the Mechanic Arts. Subject: "The Prominent Characters and Incidents of our History from 1812 to 1836."

(3.) At Petersburg, before the Library Association, April 24, 1856. Subject: "The Dead of the Cabinet."

CHAPTER XVIII.

1857-1861.

"My own opinion is that I am the last of the Virginia presidents. It may be otherwise, and I hope it may be, but the times indicate that the South has but little out of the line of commerce to give the North but the patronage of government to ensure the support of the latter."—JOHN TYLER, (1855.)

TROUBLES IN KANSAS.—CELEBRATION AT JAMESTOWN.—PRESIDENT TYLER AT MANN'S "GREAT EASTERN CONVENTION."—ADDRESS AT ROCHESTER.—THE LECOMPTON CONSTITUTION.—DECISION OF THE SUPREME COURT IN THE DRED SCOTT CASE.—MR. BUCHANAN TO ROBERT TYLER.—DOUGLAS AND SQUATTER SOVEREIGNTY.—LETTERS OF MR. TYLER.—WISE DESERTS THE ADMINISTRATION.—LETTERS OF WISE.—THE PRESIDENT TO ROBERT TYLER.—RECLAMATION OF THE REMAINS OF MONROE.—INCREASING POPULARITY OF MR. TYLER.—HIS ORATIONS AT THE RICHMOND MECHANICS' INSTITUTE, AT WILLIAM AND MARY COLLEGE.—MR. TYLER SPOKEN OF AS A CANDIDATE FOR THE PRESIDENCY.—HIS REMARKS AT THE MASONIC CONSECRATION OF THE COLLEGE OF WILLIAM AND MARY.—ELECTED CHANCELLOR OF WILLIAM AND MARY COLLEGE.—BREAKING UP OF THE DEMOCRATIC CONVENTION AT CHARLESTON.—CANVASS OF 1860 AND ELECTION OF LINCOLN.—CORRESPONDENCE.

MR. BUCHANAN began his administration on the 4th of March, 1857, and was immediately confronted with the difficulties in Kansas. In pursuance of the decision of the people of Kansas, in October, 1856, in favor of a convention, the Territorial Legislature, on the 27th day of February, 1857, passed an act for the election of delegates to the same on the third Monday of June, 1857. The law permitted every *bona fide* inhabitant of the Territory of Kansas to cast his vote. Yet though the Legislature that passed the act had been repeatedly recognized by the government of the United States as the only lawful legislative body in the Territory, the "Free-soilers" persisted in not voting, and allowed the election to go by default. President Buchanan considered himself bound to recognize the validity of the convention so elected, and on the assembling, on the 9th of June, of the so-called Topeka Legislature, with a view to an enactment of an entire code of laws, he ordered into the Territory a detachment of

United States troops, to act as a *posse comitatus* in aid of the authority of the regular government.

It was in the midst of these disturbances, auguring sadly for the weal of Virginia, that the good people of the State proceeded to celebrate the two-hundred and fiftieth anniversary of their existence as a political community. The occasion was an august one,—big with memories of the past, and more solemn because of the huge and threatening clouds that were banked up against the horizon of the future. On the soil of Virginia, there at Jamestown, twenty miles from Sherwood Forest, the first permanent English settlement had been made in the continent of America. That settlement had been the mustard seed from which the great tree of the Union had sprung, with its huge branches stretching through so many climes, and till now the lodging place of the birds of brotherly love. Mr. Tyler had been justly taught to regard Virginia as the trunk of that tree, and though the sweet birds had left its limbs, and their places had been taken by the vultures, with their bills and talons red with blood, he responded gladly to the invitation tendered him, as the orator of the occasion, to touch the harp of memory, and under the potency of its spell to drive away “those gaunt and horrible forms which are engendered in folly and nurtured in faction, and which slake their thirst in the tears of the broken heart, and appease their appetites on the blasted hopes of mankind.”

“Was there ever such a spring?” wrote Mr. Tyler on the 21st of April:—

April has with us taken the place of March, and we have had nothing but cold rains and high winds. We are nevertheless planting corn, and shall finish in two or three days more. The buds, which ought now to be half expanded leaf, are but beginning to show themselves. I suppose that we shall now have a rapid development of all vegetation. The fallow wheat looks well; that following corn exactly the reverse.

I am preparing for Jamestown. It is a great labor, as I have to revise the histories. The address will be more of the narrative order than the declamatory. Some diversity of opinion exists as to the proper day, between the Jamestown Society and the Historical Society, produced by the change from the old to the new style, by the one the 13th, by the other the 23d of May. I hope the last will be fixed upon, as it will give me more time.

I have a most polite invitation to be at Boston on the inauguration at Bunker Hill of the statue of General Warren. Julia is all agog to go, but I think my health is too precarious to undertake it.

The Jamestown Society prevailed, and the 13th of May, 1857, was one of great éclat in the State. The Governor (Wise), and many dignitaries from other States, were present amid the ruins of Jamestown. James Barron Hope read the poem, and ex-President Tyler delivered the oration, which forms the introductory chapter of this work. On the 17th Governor Wise wrote:

MAY 17, 1857.

I have just returned from Jamestown. It was a splendid crowd of at least eight thousand. The ex-President's oration was far the best composition I have ever heard or seen from him, and Hope's poem was very beautiful. We had a grand occasion, but there was no preparation for it.

Mr. Tyler wrote:

MAY 20, 1857.

... We had a large crowd at Jamestown, and of course poor accommodation. My address was as brief as I could make it, and yet too long. I condensed the leading incidents of two hundred and fifty years as much as possible, but yet they were the incidents of two hundred and fifty years, and could not be more abridged. In fact, it should have been greatly enlarged before publication, and I desired to retain it for six months; but the stenographers were at work, and I handed it over to Thompson, of the *Literary Messenger*, according to the request of the Society.

During the summer of this year Mr. Tyler went with his family on his usual trip to Mrs. Gardiner's residence in the North, and on his return in August was called upon to preside over a commercial convention assembled at Old Point, which proposed to employ the *Great Eastern* for purposes of trade between Norfolk and Liverpool. Mr. Tyler wrote:

AUGUST 4, 1857.

I had to come homeward on business, and was detained at Old Point by Mann's "Great Eastern" convention. Its merits rest entirely on the depth or draft of water and increased size of the ship, which enable the application of such a motive-power as will perform the trip two days in advance of the New York ships. We can give her thirty feet of water in the Bay and Roads, which they cannot do at New York. The convention was not large, and yet, limiting the subscription to a single share to prevent speculation in the stock, those present and the Elizabeth City people actually subscribed \$20,000. I have no doubt that a large subscription will ensue.

My remarks on taking the chair were brief and to the point. The *Herald's* stenographer, an Irishman and a good friend of yours, was present and sketched quite accurately what I said. I suppose, therefore, that I have a half column in the *Herald*. I know not when I shall return North. We are busy threshing our wheat, and would finish in a week with good weather.

Mr. Tyler returned to the North a little later in the year, and made an address at an agricultural fair at Rochester, New York, which is alluded to by him in the letter following:

[To COL. JOHN S. CUNNINGHAM.]

SHERWOOD FOREST, *October 13, 1852.*

MY DEAR SIR: I received the *Argus* containing what is said to be my address at Rochester, but no more resembling it than I do Hercules. The toast is imperfectly given even. Let that pass.

You propose to visit us. Come when you please; the doors are wide open for your reception. Advise me in due season of the day you will reach the wharf, so that the carriage may be in readiness.

Present me to Mrs. C., and believe me always,

Truly yours,

JOHN TYLER.

The first session of Congress under Mr. Buchanan was to be noted for serious divisions in the Democratic ranks. The convention authorized by the Territorial government had assembled at Leecompton, framed a constitution, and finally adjourned on the 7th day of November, 1857. A large majority of its members belonged to the pro-slavery party, in consequence of the refusal of the Topekaites to vote, and the convention accordingly decided to permit temporary slavery in the Territory. Claiming to act on the authority of former precedents, they declined to submit the whole constitution to the people; but the question of slavery was submitted as the only matter in dispute with the people. For this purpose the convention provided that, before the constitution adopted by them should be sent to Congress, asking for admission into the Union as a State, an election should be held on the 21st of December, 1857, at which all the white male inhabitants of the Territory should be entitled to vote. Here again a fair opportunity was presented to the adherents of the Topeka Constitution, if they were in the majority, to decide this exciting question in their own way. Yet once more they showed their anarchic purposes by refusing to vote, and allowed the question of slavery to pass by default. To the agitations growing out of these transactions was added another, in the decision of the Supreme Court of the United States, on the 6th of March, 1857, that a free negro was a mere inhabitant, and not a citizen of the United States, and that the Missouri Compromise was unconstitutional, because it plainly violated the provisions of the treaty of 1803. Thus, after

an interval of thirty-seven years, the South, the Democratic party, and the Supreme Court, had proclaimed the opinion expressed by Mr. Tyler in 1820. The anxiety then to procure the admission of Missouri had caused the South to yield the protection which the treaty of 1803 unquestionably extended to all the inhabitants of the vast territory acquired from France in the matter of the property acknowledged by the local law. Now they saw their error, but they saw it too late. The position which would have been inpregnable thirty-seven years before could only, after the agitations of the intervening years, push matters immediately to extremities.

Mr. Buchanan wrote to Robert Tyler about this time as follows:

[PRESIDENT BUCHANAN TO R. TYLER.]

SOLDIERS' HOME, *October 10, 1857.*

MY DEAR SIR: Seated comfortably at this place preparing my message, and having just heard the favorable news from Kansas, I confess your note of yesterday, this moment brought from town, has given me much uneasiness. It is the first intimation I have ever received from any quarter that a serious doubt existed as to the success of the Democratic candidates in the city and county of Philadelphia. I cherish the hope that you have written in a moment of gloom, and that the result on next Tuesday will disappoint your apprehensions. It would be the last calamity for Philadelphia at the present moment to become a Black Republican city, and thereby throw herself into the arms of the disunionists. I shall not believe it till I see it. I am always most happy to see you.

Your friend always,

JAMES BUCHANAN.

The doctrine of "non-intervention," which lay at the basis of the compromise of 1850 and the Kansas-Nebraska act of 1854, now became the rock upon which the Democratic party was destined to split. Mr. Douglas, who had taken the lead in securing the passage of the Kansas bill, now, in the midst of the storm which had assailed the South, gave an interpretation to the doctrine of non-intervention which entirely deprived it of any virtue. The power of forbidding slavery was lodged by him in the people of a Territory while still under Territorial government. This was the doctrine of "squatter sovereignty," and showed itself first in the action of Douglas in taking ground against the Lecompton Convention. "Squatter sovereignty" was irreconcilable with the true relation of a Territory to the Congress of the United States, and to the claim of the Southern people that the slave-owner

might go into a Territory with his property in slaves, and hold there that property until the Territory was prepared for admission as a State, and the people had forbidden or sanctioned it. Mr. Tyler wrote :

[TO ROBERT TYLER.]

SHERWOOD FOREST, *Dec. 14, 1857.*

MY DEAR ROBERT: The article on the subject of Kansas from the *Pennsylvanian* is very able. I presume it is from your pen. Douglas, I see, has taken ground against the Lecompton Convention, and yet nothing is plainer than that, by his own admission, the convention was the creature of the popular will, as far as the *voting* class could make it so, and that is the only standard to which we can refer. If the anarchists did not choose to vote, that was their own affair. Perhaps a submission of the entire constitution would have been desirable; but no man can say but that the only point of dispute was the slavery clause, and that being submitted would seem to settle the only point in dispute. What if the slavery matter did not exist in the case? Could the failure to submit the constitution to the people form a sufficient ground for rejection in opposition to all the early precedents? Admitting that the constitution as presented is a mere petition, as contended for, because of the absence of the prior authority of Congress, the only question which can arise is, is the petition reasonable and ought its prayer to be granted? And this is decided by the amount of Federal numbers in Kansas, and the inquiry whether the constitution be republican in its character. It is idle to look behind these questions into the enquiry whether the convention was elected by a majority vote. That is proven by the election returns; and even if a majority did not vote in fact, that does not alter the case. If they did not vote, their acquiescence is fairly to be inferred. There is no other criterion to which we can refer but the results of the ballot-box.

Such are my present impressions. I shall, however, look to the debates, and be edified accordingly. I see no such difficulty in adjusting the dispute as that a spirit of patriotism might not overcome it in a week; but, alas! I fear that anarchy is the order of the day, and that the future will make confusion only worse confounded.

Your affectionate father,

JOHN TYLER.

[TO DR. SILAS REED.]

SHERWOOD FOREST, *April 7, 1858.*

MY DEAR SIR: Your brief letter of the 7th February found me confined to my bed, an ill man, under sickness which commenced in the Christmas, and held me a prisoner to my room, and chiefly to my bed, for more than two months. Since the advent of March I have gradually, but most slowly improved, until I can now walk some hundred of yards from my door, encountering, however, great weariness and much of pain in my limbs, and am very glad to find myself restored to my chair by the fireside. I look to the fine warm weather, which we may now shortly expect, for a more speedy im-

provement. I have been greatly staggered by the blow, nor can I complain, considering that in two years more I shall be a septuagenarian.

I have scarcely noted passing political events for the last three months. My attention has but now been arrested by the rejection of the Kansas bill by the House of Representatives, and the adoption of Crittenden's amendment. This seems to me to be a sad result for Mr. Buchanan. It would seem to hold out to him the prospect of a troubled term. His aspirations for a second term—if, in truth, he indulged at any time in them—would seem to be rendered already desperate.

Where are you in these troublesome times? For myself I have thought that it was best to admit Kansas under the Lecompton constitution, and, if she afterwards deemed change to be necessary, leave her to work out her own redemption at some other day; but I confess that my opinion is entitled to but little weight, as my state of health has prevented much continuous thought. Whatever may be your opinion upon the subject, it will in no degree detract from the friendly regard I entertain for you.

With best wishes for your health, happiness, and long life, I am, dear sir,
Truly and sincerely yours, JOHN TYLER.

Soon after this Governor Wise began to give evidences of dropping off also from the administration, and a gradual political separation occurred between himself and Robert Tyler, who had learned to entertain the most affectionate regard for Mr. Buchanan. Governor Wise avoided "Squatter sovereignty," but was in favor of submitting the Lecompton constitution anew to the people, while the President recognized it as all sufficient and legally authorized in claiming his support and recognition.

[GOVERNOR WISE TO ROBERT TYLER.]

RICHMOND, *January 11, 1858.*

MY DEAR SIR: We will be glad to see a strong deputation from Philadelphia. The joint committee of the Legislature will soon report a programme, when we may begin to send out invitations. The President's message on fillibustering is exactly what it ought to be, save a little more rebuke of Paulding. The debate in the Senate shows Douglas, Davis, Toombs, Brown, etc., to be in the opposition.

The President has been urged by me to send Faulkner abroad. He knows urgently already that such is my wish.

My letter to New York is in exact correspondence with my letter of November, and it differs from Douglas in doctrine, and in both the end and means of maintaining popular sovereignty, and don't conflict with Mr. Buchanan, unless I have greatly misunderstood him, except about "domestic institutions." I urge adherence to him and his administration, but he must allow me to assign my own reasons and adopt my own cause. If Douglas' plan is best, it is an intervening plan by Congress which denies the legitimacy of the Lecompton constitution. Mine allows the constitution to be legitimate,

but as it is denied as a fact submitted to the people, it allows the Territory itself to have a full and fair vote upon it. I am determined that neither the Democratic party nor slavery shall be injured irreparably by marching over the doctrine of popular sovereignty, and incensing against us a majority, not only of the Territory, but of every State in the Union. I want to cure the egregious blunders of pro-slavery blind leaders. I have the sympathy in this of the Virginia Democracy, and you will see it. And the administration, I expect, will be saved in part by the course I am committed to and mean most steadily to pursue.

Yours, very truly,

HENRY A. WISE.

[GOVERNOR WISE TO ROBERT TYLER.]

RICHMOND, VA., *January 17, 1858.*

MY DEAR SIR: A very short time will show you and all my friends whether I have made a mistake. I shall fully discuss the subject, and make it understood. You have your standpoint, and I mine. You are misled, and causing the President to be deceived. If Congress adopts that Lecompton schedule, Democracy is dead; and the administration can save it *now*; it can't after that act. I care not what friend or foe thinks or says, I mean to maintain my position and to advance on it. It is deliberately taken, and I will live or die by it. The administration may take the slightest step aside, if it will, and aid me in my course. I cannot and will not take a step backwards.

I am not acting on the information derived from any correspondents. My action is wholly my own, without counsel, and its purpose is to arrest the administration from a false step. It is not in the power of man or party to put this Kansas question out of the way shortly, or ever in our day, if Congress endorses the Lecompton constitution. The game of the disunionists is to drive off every Northern Democrat from Mr. Buchanan on the Kansas question, and every Southern on the Nicaragua question, and they will succeed unless the President alters his conclusions very soon.

Walker, Douglas, and Forney are all nothing to me. I wish to serve and save the administration.

Yours truly,

HENRY A. WISE.

[PRESIDENT BUCHANAN TO R. TYLER.]

WASHINGTON, *February 15, 1858.*

MY DEAR SIR: Many thanks for your kind favor of the 12th. I agree with you; it is quite necessary that all the Federal officers in Philadelphia should be a unit in action. Without this, they neutralize the administration and leave it powerless. I desire to recognize the wing of the party to which Mr. John Miller belongs, and like him personally. I have thought of Dr. Sturgeon's place for him. What think you of it?

The Kansas question brightens daily. Everybody with the least foresight can perceive that, Kansas admitted, and the Black Republican party are destroyed; whilst Kansas rejected, and they are rendered triumphant throughout the Northern States. Besides, above all, I very much fear that the fate

of the Union is directly involved. How I do mourn over Wise and his defection! Would to Heaven I could have avoided this heart-felt wound.

With my kindest regards to Mrs. Tyler and my little favorites, believe me to be always very respectfully, your friend,

JAMES BUCHANAN.

The winter of 1858 passed by, and the summer following witnessed a new occasion of ceremony in Virginia. The fourth Virginia President, James Monroe, had died in the city of New York, and his remains had been interred among strangers. A movement was set on foot to restore them to their native sod. In July, 1858, they were received in the city of Richmond amid great display, and interred in Hollywood Cemetery, on the brow of the James river falls. Mr. Tyler was prevented from being present, but four years thereafter his remains also were brought to that sweet home of the dead, and deposited by the side of the good, virtuous, and able Monroe.

[TO ROBERT TYLER.]

SHERWOOD FOREST, *July 14, 1858.*

MY DEAR SON: I have read with approval the resolutions prepared by yourself and adopted by the Democracy on the fourth of July. They embody the true principles of the government, and of the party for whose conduct they are designed. I fear more injury to the success of the Democrats at the next election from the enormous increase of expenditures than anything else. In Mr. Van Buren's time they were about \$32,000,000, which were reduced by me to \$25,000,000 or \$26,000,000, while at this moment they exceed \$80,000,000, and this exclusive, I believe, of interest on the public debt.¹ The expenditure seems to me to be out of all proportion to the increase of the army and navy. A great handle will be made of this. Crittenden has already sounded the notes on it in his speeches at Covington and Lexington. It may be right, but the people only look at figures, and the figures are startling.

The late reclamation of the remains of Mr. Monroe was attended by striking circumstances. The display made in the streets of Richmond was said to be surpassingly beautiful. All tongues unite in praises of the Seventh Regiment of New York. Wise said to me the other day, in Williamsburg, where we were on affairs of the College, that it was the most superb body of equal size he had ever seen. His address at the Cemetery has won for him universal praise. His health has much improved, and his spirits are buoyant, and his eye is steadily fixed on 1860. My own opinion is, that I am the last of the Virginia presidents. It may be otherwise, and I hope, it may, but the times indicate that the South has but little out of the line of commerce to give the North but the patronage of government to ensure the support of the latter.

¹ Mr. Tyler had in mind the gross annual expenditures in 1840 and 1844. See the statement on page 374 for the net annual expenses.

I have alluded to the extent to which Mr. Tyler was beset to make addresses all over the country. The persecution which he had suffered from the Whigs during the first year or two of his retirement had passed away. In proportion to the injustice of the assaults made upon him in the past was the reaction in his favor in Virginia and the South. And even in the North, where the subject of slavery drew the people off from all Southern men, he was regarded with growing respect, since they could not conceal it from themselves that, though a Southerner in all his feelings, he was of all men the least vindictive, the most conservative, and the most faithful to his convictions of right and wrong. This feeling among the people showed itself in a reverence finally paid to him and his views certainly never exceeded in the history of Virginia. None,—not even Clay's own son, who was present at the unveiling of his illustrious father's statue in Richmond in 1860,—could resist his bland and genial smile and sweet and pleasing address. He became the "lion" wherever he went. Invitations to dinner, to ceremonies in the State and out of it, to deliver lectures, and preside at meetings and conventions poured upon him. He knew how to make the young his friends, and his old age became more popular than his youth. He wrote to his son :

VILLA MARGARET, *November 15, 1858.*

. . . . I am here with a view to removal to Sherwood Forest, where I am anxious to get into winter quarters. I think I shall be able to get off by to-day week. My health of late has been indifferent; and yet I have delivered a lecture in Richmond, a valedictory at Petersburg, and a reply on a sudden demand at Norfolk, and now I receive a letter from Baltimore to lecture there. Of course I shall decline. I find myself much lionized wherever I go, and the manifestations of confidence and regard increase more and more around me. This is highly gratifying.

I am glad that the President has awakened to your claims. How rarely do public men have a proper perception of things. The lingering after the flesh-pots of Egypt has ruined many. Polk courted Benton, and Buchanan looked to Forney and Blair, etc., and lo, the result !

The address delivered at Richmond by Mr. Tyler, in the hall of the Mechanics' Institute, on the 4th of November, has handed down to us some happy pictures of "Richmond and its Memories" in the early part of the century.¹

¹ See *Richmond Whig* for the address in full. Extract given in Volume i., pp. 219-225.

This lecture was followed by Mr. Tyler's address at the one hundred and sixty-sixth anniversary of the College of "William and Mary," of which he had been a visitor for forty-five years, and for many years rector, and which had received a new lease of life under his moderate and sagacious directions. St. George Tucker, son of Judge Henry St. George Tucker, late president of the Supreme Court of the State, was the poet selected to honor the occasion. But before the day of the celebration arrived the college fell a victim to the flames. The celebration nevertheless took place,¹ and preparations immediately began to erect a new building.

The political agitations growing out of the troubles in Kansas had imparted new strength to the Free-soil party, which now, under the name *Republican* (!) party, was rapidly absorbing all the elements of opposition to the administration. In the Democratic party itself the most inveterate disorders existed, and men looked from the first with apprehension to the results of the Democratic convention which was to nominate for the next presidency. In Virginia the Governor, R. M. T. Hunter, and Senator Douglas were the public candidates most canvassed for. The times were particularly exciting, and the jealousies that marked them were not confined to national politics alone, but extended themselves to the relations of the candidates with one another. In the antagonisms prevailing between the various aspirants for the presidency, and the extraordinary increase of Mr. Tyler's popularity, arose the desire with many of the politicians of the day to urge Mr. Tyler before the Democratic convention as the compromise candidate. This move has remained secret to the present day, but was supported by such prominent politicians as De Bow, the editor of the leading *Southern Review*; Dr. Ryder, president of Georgetown College, and a man of prevailing influence in the Catholic Church; A. Dudley Mann, and many others. Mrs. Tyler thus alluded to the move in a letter dated March 20, 1860:

The politicians talk of him (Mr. Tyler) very freely as being the second choice of at least three candidates. Wise, Hunter and Douglas, *they say*, will all turn to him if they each find there is no chance for themselves, and all these, you know, are bitterly opposed to one another. The Clay statue is to

¹ See address in *Southern Literary Messenger*, March, 1859. Also *De Bow's Review*, xxvii., p. 136.

be erected in Richmond early next month, and the President has been formally invited to attend on the occasion,—quite a new turn on the part of the Whigs. He has accepted the invitation. Whether he will be able to be present remains to be seen. The President seems to have outlived the abuse of his enemies, and is every day more and more properly appreciated by all parties.

Mr. Tyler had been often urged to take part in the State politics, but he had never compromised his dignity by act or word. To the end “he never stretched forth his hand for any office,” and really did not wish any, except in one view, as he wrote in 1845, as a set-off against the abuse of the past and as an evidence that his native State had not lost its confidence in him. It must come unsolicited, or not at all. “And yet,” said he, in a letter intended for the eye of his son, dated October 19, 1859, “I verily believe that I should at this day meet with more enthusiasm from the rank and file than has occurred since Jackson’s time:”—

The papers in Virginia are committed to Hunter and Wise. Their columns are therefore occupied, and yet the whole South would rally with a shout. I have just returned from Williamsburg to the Masonic consecration of the College and presided at their dinner. Never have I witnessed more enthusiasm than on my being toasted. The cheering was immense. I never spoke better. Every sentence was followed by loud applause. I was twice after toasted with rapturous applause. The proceedings will be published, and I have sketched off my remarks, but I could not recall the whole, and the spirit is greatly lost in writing down an off-hand address.

Mr. Tyler’s remarks at the Masonic consecration of William and Mary College, referred to in the above extract, were as follows:

Mr. Tyler acknowledged his obligations to the company for, he might say, the warm and well-nigh enthusiastic manner in which they had received the sentiments just offered. He had to express his regret that he had not reached Williamsburg in time to witness the imposing ceremonies of the morning, but the deep mist of the early day had delayed to a late hour the departure of the boat from Richmond, and the slow motion of the horses attached to the stage from the landing hither, no doubt from overwork of late, had prevented his arrival in due time. I could not forego the effort to be present on an occasion so full of interest to the venerable institution of learning with which I have been so long associated as student, visitor and rector.

On the 19th of February last, not quite eight months ago, we celebrated its 166th anniversary over its smoking ashes—to-day we have assembled, under the auspices of the Masonic fraternity, to consecrate the building anew to the purposes of science and philosophy. That most beautiful of all the fables of antiquity has been full realized. The Phoenix has arisen from her

funeral pyre with renewed strength and greater beauty, and her flight will be onward and upward.

William and Mary College is herself again. Her genius, so lately expelled by devouring flames from its old temple, has returned to take up its abode in a new and more beautiful structure, erected in the greater part upon her old walls, which, from their massive thickness, would seem to bid defiance to the storms of centuries. Thus is the past united with the present; the one full of the grand old centuries, the other radiant with hope for the centuries yet to come. Philosophy and science have again taken up their abode in her admirably arranged lecture rooms, and the electric spark once more illumines her new and admirably selected laboratory. For the selection of that most extensive and beautiful collection of instruments I take this opportunity of returning publicly my thanks, as the Rector of the College, to her distinguished alumnus and son of her own parental nursing and tutelage, Professor Wm. B. Rogers. The morning prayer will from this day henceforward ascend to heaven from its old chapel; and new volumes, under better arrangements than formerly, are rapidly filling up the numerous shelves of its library.

In the name, then, of William and Mary, I thank you, gentlemen of the Masonic fraternity, for your presence here to-day. The imposing ceremonies of your ancient craft have been performed. Consecrated by your order, which claims existence from the times of the patriarchs and before the pyramids, from this day forward she will look to you as her friends, protectors and guardians. It is not my good fortune to belong to your society, or to any other of a kindred character. I belong only to the old-fashioned Virginia society, and in its name claim fellowship with all good men, whatever the name of their association.

You have enrolled upon your tablets the names of men which are stereotyped in history and can never die. Two spring forth upon the canvass, whose features are bold, grand and sublime. I disparage not others when I mention the names of Frederick the Great of Prussia, who held the world enchained in wonder by unsurpassed generalship and feats of noble daring, and our own Washington, the hero, the statesman, the patriot. The name of the last is inseparably connected with William and Mary College. She placed in the hands of the youthful adventurer the surveyor's staff with which he threaded the wilderness, and upon his returning it, she encircled his brow with the high honor of her Chancellorship. By your presence here, gentlemen of the mystic tie, you not only do honor to this old institution of learning, but you follow in the footsteps of your immortal brother.

There is but one way to judge of the future, and that is by the past; and judging by the past, may we not anticipate a future of usefulness and glory for William and Mary? How rich and precious were the fruits of that past! From her lecture-rooms, in the olden time, came forth her Jefferson, her Monroe ("her Tyler," was uttered by some gentleman and loudly applauded. After the applause had ceased, Mr. Tyler continued :) My name, said he, deserves not the prominence which you have so kindly given it. There were others also "the latchets of whose shoes I was scarcely worthy to loose." One of those names you, sir, (addressing Dr. Dove) have already mentioned,

—that of the great Chief Justice, John Marshall, who was not inaptly called the Archimedes of logic. To enumerate the names of her illustrious sons would occupy me from the setting of that bright orb of light, whose departing rays now gild the spires of this old city, even unto its rising. Behold the grand procession! George Washington leads it, with the Chancellor's staff in his hand, followed by an innumerable host, whose names will be hailed, as they are now, by future generations as the benefactors of their race. And why shall not the nurse of the great in the past rear as noble offspring in the future? The same tree, the same soil, the same culture, must and will be followed by the same bloom and the same fruit. You will aid me in the accomplishment of these precious results, gentlemen of the Masonic fraternity, and in the spirit which governs your councils, I again salute you.

The address was followed by the vote of the visitors of William and Mary, conferring unanimously upon Mr. Tyler the office of Chancellor, last filled by President Washington. The college was once more in successful operation when the war came on.

The ill-advised course of the Southern delegates in withdrawing from the convention at Charleston in the spring of 1860, restrained all mention of Mr. Tyler's name in connection with the nomination. The Democratic party split on the question of the time when the people of a Territory had the power to prohibit slavery, though there was no further occasion to put the question to a practical test, since the expansion of the South was forever at an end. "Their quarrel is about a mere abstraction," wrote Mr. Tyler, March 8, 1859, "as to which I think the Douglas men and Northern Democracy are wrong, but it is after all a mere abstraction." Truly "words are things," and "words" more than "things" govern the world. What labor, what argument, what infinite striving has been employed to show that "protection" does not protect!

As far as Mr. Tyler was concerned, the desired endorsement by his country came in a manner even more gratifying, as we shall see, than a re-election to the presidency.

The Democrats went into the election in the fall of 1860 divided between two tickets—Breckenridge and Lane, and Douglas and Fitzpatrick. What remained of the old Whig party, in the guise of the "Union party," united on John Bell, Mr. Tyler's *quondam* Secretary of War, and Edward Everett, his minister to England. The Republicans rallied on Lincoln of Illinois and Hamlin of Maine—the nominations suggesting the union of the

lawless spirit of the West with the hereditary hatred of the East to the South.

Mr. Lincoln was elected by a plurality vote, and his election was the *straw* that broke the back of the unhappy "milch cow" of the Union; *i. e.*, the South. I add the following letters:

[TO ROBERT TYLER.]

VILLA MARGARET, *April 25, 1859.*

DEAR ROBERT: . . . The canvass¹ in Virginia is a warm one. The opposition selected their best man in Goggin. He is a gentleman, and in my time deported himself well. Differing with me, he never lost the courtesy of a gentleman. He will get a good vote, although he will be beaten. What is the extent of the breach in the Democratic ranks in Pennsylvania? I fear bad results in 1860. There was speaking here yesterday and last night, amid the severest storm of wind that I have witnessed for years. Segar is a candidate for the Legislature, and will vote for Letcher,—a new convert. I saw him with others at the postoffice in Hampton a day or two ago, and he expressed a desire to be deputed to the Charleston convention, "that he might do justice to John Tyler," as he expressed it. He was a bitter opponent all along. The Texas question is again revived, and his vote against it is urged as one of the most formidable objections to Goggin. He seeks to escape upon the ground that the boundaries were not defined. So we go. My thunder is still used to achieve victory by the Democrats. . . .

Your father,

J. TYLER.

SHERWOOD FOREST, *May 18, 1859.*

DEAR ROBERT: I received your last letter the day previous to a visit from the Governor and my friend Boulware; and after they left I was carried to Hampton by the necessity of making preparations at the Villa for our summer abode. The Governor, during his stay with us, made himself every way agreeable. Those of my neighbors politically opposed to him could but express high admiration at his diversified talents. He is truly a most extraordinary man. I have never known but one man more thoroughly at home upon all subjects, and that is L. W. Tazewell.² His letter, of wondrous length, reached me but the day before himself. I took occasion to remark on its great length. He replied that he concluded to make a clean breast of it, so that he should be relieved in future from all further questioning. It is undoubtedly able, and strictly a Jeffersonian treatise on the government. I have no means of knowing his actual strength, although I think it is increasing daily.

¹ For Governor; John Letcher was the Democratic candidate.

² Mr. Tazewell, Mr. Tyler's colleague in the Senate for so long a period, after whom he had named a son, died this year. Hugh Blair Grigsby, LL. D., delivered the oration in his honor. Circumstances prevented Mr. Tyler from being present in Norfolk; but he said, "Happy the eulogist who has such a subject, and happy the subject who has such an eulogist."

The European news of the last week was deeply interesting, and my chagrin inexpressibly great in the non-reception of the mail on yesterday. If a battle has not yet been fought, I take it for granted that Austria has not crossed the Tercino, and listens to terms. Another report has reached me of a painful character, viz.: that young Botts has taken up the quarrel for his father, and that he and O. J. Wise are off to fight a duel. I cannot blame young Botts for becoming the champion of his father, who it is understood will not fight for reasons heretofore assigned by him. Wise was excessively bitter and personal. Would it be thought possible that many of the opposition party would gladly give their votes for J. M. Botts for the presidency, and yet such is the fact? In fact, there appears no limit to their hatred of the Democratic party. Pray who is spoken of most currently among you for 1860. Here I think everything is much afloat. . . .

Your affectionate father,

JOHN TYLER.

[TO ROBERT TYLER.]

VILLA MARGARET, *July 16, 1859.*

DEAR ROBERT: Your letter of the 13th reached me yesterday. I know not how it is with my friend, the Governor. He was to see me lately, as I believe I wrote you, and I said to him, if I could have had my way with him, he would have been the next president. That at the opening of the contest he held in his hand fifteen States; that to retain them he had nothing more to do than sit still, and neither write nor say anything. "Vaulting ambition overleaps itself, and falls on the other side." He has shown no judgment in the matter, and if his prospects are marred (I hope they are not) he has only to blame himself. He committed a great blunder in permitting his son to turn editor under his nose,—not that the son is not highly talented, but that nothing he says in relation to his father is received by the public in any other light than as an offering of filial gratitude; and now again that son is involved in a bitter feud with P. H. Aylett, and is said to have gone somewhere to fight. I hope the quarrel may be settled without proceeding to extremities. Aylett married the daughter of my excellent friend, Col. John Rutherford, and has several children. For both parties I feel a deep interest. To-day I suppose we shall hear its finale. All these things have a depressing influence on the Governor's prospects, and yet I confess that my sympathies are strongly with him. Hunter lies still, ostensibly puts forth no demonstrations, and yet may carry at Charleston a majority of the Virginia delegation. Mr. Buchanan does not appear to me to have many supporters. I speak of him always in most friendly terms, but it is obvious the current is against him. The fact is that the public mind is made up to a single term.

As to myself I have long ceased to aspire or even to desire connection with public life. I have daily assurances from plain men of an anxious desire on their part to restore me to the presidency; but I receive them as nothing more than the expressions of good will, and so let it pass. I could not improve upon my past career.

I was at the "Point" with Julia and Pattie last evening, where there is an immense crowd, and where I fell in with many old acquaintances, and

among others Col. Parker, who is an active politician. He told me that in conversing with some gentlemen, you had been mentioned as having presided lately over a Wise meeting in Philadelphia. I said to him that I had no intelligence of such fact, and did not believe it. Botts, in all the platitude of corporeal dimensions, is there, doubtless to feel his way in the bewildered road of politics,—bewildered indeed it is when such a mass of mortality can aspire even to the seat held by Washington and Jefferson. What would or could the man do in the chair of State, who declares that the United States is not bound by the International Code, because they have not formally adopted it?

By the way, did not General Cass commit a great blunder in his naturalization letter? Is the question of title to protection under the flag of the Union, on the part of a naturalized citizen, to be controverted by foreign governments, in view of the fact of their encouragement of emigration? They grant passports and they encourage emigrant ships; nay, so rigid is the system of police on the continent, that no one can leave without its being known to the officials. I put it strongly on that ground in the correspondence with Lord Ashburton in Webster's letter on impressment, and his lordship's answer was satisfactory. I think that the Secretary, in his short note, was unfortunate in the selection of a *word*. He should have cautioned against the hazards run without committing himself on the principle. . . .

Your father,

JOHN TYLER.

De Bow is at the Point, and Mann will be there on Monday. . . .

AUGUST 1, 1859.

DEAR ROBERT: I fear very much that the Charleston convention is destined to prove the grave of the Democratic party. But my principal object in writing is to caution you against too strong a commitment to anything but the Democratic party. If your preference is for Mr. Buchanan, avow that preference freely, but abstain from war upon others. If that course was universally pursued by Mr. Buchanan's advocates, it would do him far more good than an opposite course.

Since I began this letter a friend has told me that a paper near Bedford Springs speaks *authoritatively* that Mr. Buchanan will under no circumstances be a candidate. I might, therefore, have saved much of the above. However, as it is written, let it go.

With love to all, your father,

JOHN TYLER.

[PRESIDENT BUCHANAN TO R. TYLER.]

WASHINGTON, October 3, 1858.

MY DEAR SIR: I have received your favor of the first instant. You have indeed performed your entire duty as chairman of the State Committee. Whatever may be the result of the election, you may feel proudly conscious that none of your predecessors have written addresses equal to your own. Indeed, they have been marked by signal ability and excellent good sense. I am sorry you have been so badly sustained.

Mr. W. has been treated very leniently, and this according to my wishes.

He has never seemed to recognize in its true character the nature of the offense for which he was removed.

From your friend, very respectfully,

JAMES BUCHANAN.

[TO ROBERT TYLER.]

SHERWOOD FOREST, *October 6, 1859.*

DEAR ROBERT: Your suggestion, if I had any ambition, is a good one. A better mode than pamphleteering would, as it seems to me, be to have a few friends, if in the convention the better, but at least to be present in Charleston. They should be prudent and discreet: should abide their time, and not make mention until it becomes obvious that no one of the prominent men can be nominated. The question then presses itself on all, "What can be done to save?" Salvation can come only from a new name. A single friend of the energy and decision of Com. Stockton, if there, would control events. Of Pennsylvania and Indiana I know nothing. New Jersey would be secure. Of that I do not doubt. The two first States would come to know that after two vetoes I secured the bill of 1842. Pennsylvania ought to know that when I took office her stock was down to fifty. In twelve months afterwards, or thereabout, it attained par value, and repudiation was a possibility of the past with her and other States. The country ought to know that industry was paralyzed and commerce nearly dead; and that new vitality was imparted to them, and new sails furnished; all should know that Maine and New Brunswick were armed to the teeth, and that a word hastily spoken would have been followed by war. The world does know that a virtual monopoly of the cotton-plant was secured to the United States by the annexation of Texas; and the financial bureau does tell that the expenditures were reduced from thirty-two or thirty-four millions to twenty-four millions, so that the government was administered the last year upon the savings of the three previous, and \$8,000,000 left in the Treasury. But of what avail is all this? I am almost indifferent to what others think.

John's last number in *De Bow* reveals much of the past. It is able; it is read; it has made an impression; and I am daily, when in the midst of men, met with the enquiry, will you accept the nomination at Charleston if it should be conferred? I have answered, it will be time enough to respond when it takes place. Mr. Mann, of Washington, is a friend to the movement. He should be there; so should *De Bow*. I have not heard from John for some time. But I ask nothing. I can almost say I desire nothing. The historic page is the most that I look to, and that would be embellished by the thing, and would impart to it value. Things are, too, terribly out of sorts, and he who undertakes to put them right would assume or have thrown upon him a fearful responsibility.

Your father,

JOHN TYLER.

[THE PRESIDENT TO ROBERT TYLER.]

WASHINGTON, *15th October, 1859.*

MY DEAR SIR: I have received yours of the 15th instant. I have an instinct in such matters, created by long experience, and I perceive the certain

symptoms of triumph in Pennsylvania in 1860. The Democracy will then be thoroughly aroused against Seward.

I shall be most happy to see you in Washington, and trust you will come directly to the White House and make it your home during your visit.

I shall make your request known to Mr. Holt respecting Messrs. Ray and Wynan; but if their services are not required, there is an end of the matter.

Your friend, as ever,

JAMES BUCHANAN.

[WISE TO ROBERT TYLER.]

RICHMOND, VA., *November 6, 1859.*

MY DEAR SIR: Thank you for yours. Please cause this provision of our laws to be published generally in your papers: Code of Virginia, chapter 17, title 10, section 18,—“The governor shall not grant a pardon in any case before conviction, nor to any person convicted of *treason* against the Commonwealth, except with the consent of the General Assembly, declared by joint resolution. Neither shall he grant a reprieve to any person convicted of treason for a longer period than until the end of the session of the General Assembly during which it may be granted, or until the end of the succeeding session when it is granted during the recess.”

Brown is convicted of treason and sentenced for 2d of December, and General Assembly meets the 5th. I could reprieve only for ninety days, as session of General Assembly is limited for that time only.

Yours truly,

HENRY A. WISE.

[TO ROBERT TYLER.]

SHERWOOD FOREST, *November 23, 1859.*

MY DEAR ROBERT: I scarcely know what reply to give to your last letter. If I had the means to make you independent pecuniarily of the world, the sun would not go down before it would be done; but I am as hard put up, to use a vulgar phrase, as any one. For two years past my crops have failed, and I have had, and still have, a whip and spur concern to keep me on the track. Were it otherwise, I should unhesitatingly say to you neither mission abroad nor paymastership at home, but onward with your profession, which ultimately leads to emolument and position. I am ambitious, and I acknowledge it, not for myself, except to leave behind me a respected and honored name, but for my children. I would live again in them. I would have them make a figure in the world, and thus hand down a name which for two generations, to say nothing of a third, has won confidence and repute.

I think that your devotion to the President ought long since to have received his endorsement. It comes now at a late hour. Doubtless he has supposed that he could not do otherwise. You have now to decide what you had best do. There is one word that decides the matter—*independence*. Will the paymastership give you peace, quiet, independence? Is it better than your present office and profession? If so, take it. If not, reject it. Give up politics, by which no man profits other than a knave; retrench, as far as retrenchment be practicable, and wait for political preferment to reach you at its own gait. I estimate you unjustly if it do not come at some day or

other. It may find you as well in a paymastership as in a mission abroad. Decide the whole question for yourself, and, whatever the decision, I shall be satisfied.

For myself I care for nothing, hope for nothing, seek for nothing. My confidence alone is in the Great Being who has made us, and still preserves us a nation. Wise has obviously gained in public esteem hereabouts. How things are to result time will disclose.

Your father,

JOHN TYLER.

[To ROBERT TYLER.]

SHERWOOD FOREST, *December 6, 1859.*

DEAR ROBERT: Your letter of the 28th November is before me. I was far from inferring from your previous letter making any application to me for pecuniary aid. No such inference was deducible from your letter. I meant only to express the opinion that the law profession opened more widely the door to preferment than any other pursuit, and, in doing so, mentioned the regret I felt that I had it not in my power to place you on a footing of perfect independence, so as to enable you to devote your whole time to your office. It is a regret I sincerely felt, but of course I knew that you too well appreciated my true condition to even hint at such a thing. Under such circumstances I am desirous to see you placed in such a situation under the government which will ensure your future independence. I care but little what it is, so it ensures that end.

A chase after political preferment ends in nothing but fatigue to the spirits and exhaustion of mind. Even at the highest, it is attended with little more than traduction and slander. In the present condition of public affairs, this remark becomes more emphatic. A day may destroy everything. Virginia is arming to the teeth—more than fifty thousand stand of arms already distributed, and the demand for more daily increasing. Party is silent, and has no voice.¹ But one sentiment pervades the country: security *in the Union*, or separation. An indiscreet move in any direction may produce results deeply to be deplored. I fear the debates in Congress, and above all the Speaker's election. If excitement prevails in Congress, it will add fuel to the flame which already burns so terrifically. I hope there is conservatism enough in the country to speak peace, and that, after all, good may come out of evil. Wise's energy receives unqualified approval. . . .

Your father,

JOHN TYLER.

[SENATOR BIGLER TO ROBERT TYLER.]

SENATE CHAMBER, *December 16, 1859.*

DEAR TYLER: The excitement seems to abate slightly in Congress, but it is on the rise in nearly every Southern State. The most alarming indication is that the mass of the people, heretofore silent and conservative, are taking the lead in repelling and denouncing the insults and outrages offered at the North. Governor Letcher, who arrived here a day or two since, has given Mr. Hunter

¹ This was after the John Brown raid.

a most startling account of the movements among the people in his, the conservative part of Virginia. Nothing has made so much bad blood as the endorsement of the *Helper Book*, and the attempt now making to promote a man who did this to the responsible station of Speaker of the House. The next most offensive thing is the sympathy manifested for old Brown. It is no longer necessary for fire-eaters to take the lead. They will be obliged to stay the popular indignation rather than lead it. But I have no fear of a separation in Congress. Sherman, if elected, will immediately discard the "*Helper Book*," and the Southern men will settle down, and then we shall begin to take steps on the presidential question, and adopt our policy; at present, no one seems to talk about the presidency. I agree with you that the "Abolitionists should be denounced, and not the South," and I understand the hint right well; but, sir, I tell you that so often as a Southern senator rises in his place, and falsely assails my constituents, attributing to the Democratic portion "deception and corruption," as did Iverson, I shall denounce the assertion and repel it. It is by submission to outrages of this character that we lose our hold on the North and the *respect of the South*. Every Southern senator, except Iverson, approves of my action in that matter. Then, sir, as to the general subject, I do not feel at liberty to act the partisan entirely. Party must give way to some respect for the sake of the nation. No man living entertains a more profound aversion to Abolition fanaticism than myself. I regard the leaders of the Abolition party as traitors to the Constitution, and shall so denounce them so soon as excitement recedes a little. But enough; when you come on we shall have a long talk about matters and things in general.

Yours truly,
WM. BIGLER.

[FROM W. FARLEY GREY.]

NEW YORK, *December 22, 1859.*

MY DEAR SIR: Permit me to trouble you to read some resolutions which I drew up, and which were unanimously and enthusiastically adopted a few evenings since at a meeting of the friends of the Union and Constitution upon Staten Island. The construction of the Constitution which they embody may not meet with your approbation, but, after mature reflection and examination of the clauses referred to, I have myself no doubt upon the subject; and such, too, I fear is the opinion of a great many able men to whom I have talked upon the subject.

How desirable that such an interpretation should prevail you will readily perceive, as it will bring the general government into the field against these infernal scoundrels, as well the parties who at a safe distance supply the means for such infamous assaults to those who are the instruments of their execution.

I am happy to tell you that the feeling here in New York is all we could wish. An army of fifty thousand men, I am persuaded, could be raised here at the tap of a drum to march to your aid, if necessary. Many are as violent as any Southern man could be. Counsel our countrymen, for I am yet a Virginian, to calmer coolness and moderation. Give the North credit for all they deserve, and a brighter day will yet dawn upon the country.

You must present my most cordial regards to Mrs Tyler, and tell her that nothing could give me more pleasure, if I could leave home, than to go all the way to Virginia to spend a few days with her and yourself.

Believe me, my dear sir, with the greatest consideration and the most sincere respect, your obedient servant,
W. FARLEY GREY.

You will find the report of the meeting on the inside of the paper—second page.

[To ROBERT TYLER.]

SHERWOOD FOREST, *January 19, 1860.*

MY DEAR ROBERT: To-day the General Assembly give a complimentary dinner to Gov. Wise, and I have been invited to it, but decline attending. My letter is full of professions of friendship for the Governor, which I sincerely feel, but I say nothing political. If you ask me whether I approve of the Governor's political views in toto, my answer would be in the negative. I have regretted his opposition in the main to Mr. Buchanan. I think, on the contrary, that the President has acquitted himself well in his high office, and if re-nominated I should go to the polls and vote for him with alacrity; but my friendship for Wise is almost indestructible. It had its beginning in times of great trouble, and he was faithful. His election to the presidency is equivalent to an endorsement of my administration by the country, and therefore as well as for my confidence in him, his election would be gratifying to me. I think he will carry the electoral vote of Virginia in the convention; but even if he and Douglas should be inclined to break up the convention, of which I should entirely disapprove, my belief is that neither will be permitted to do it, even by their supporters. The condition of the country is altogether too critical for this. Some man will be nominated without a platform, which at most is a useless thing. We had in 1839-'40 far greater dissensions at Harrisburg, and a platform would have scattered us to the winds.

Mr. Grey, the gentleman to whom I wrote a letter in reply to one from him requesting my opinion relative to the Staten Island resolutions, has asked for permission to publish my letter, and I have granted it. He says that he had shown the letter to the leading men of New York, who urged its publication. You will therefore see it by the time this reaches you. It is brief but pointed.

You refer to my expenditures. They have been large for me, and by reason of the failure of the wheat crop for two years have been embarrassing. Julia desired an investment of some money I had of hers in a lot near Hampton; and this carried with it expenditures for new buildings, furniture, etc., all of which, of course, will form a unit, and come out of her fund. I had used some of her fund, and have had to replace it. Thus the expenditure has been large. I hope to work through it in a year or two. At all times my expenses are larger than I could wish them, but they cannot be otherwise. It is a shame to the country that an ex-President, who is obliged to keep an open house, should not receive a pension, when every man who has but shouldered a musket in war is pensioned. He is commander-in-chief (of the Army and Navy).—[*The rest of this letter is lost.*]

[To COL. JOHN S. CUNNINGHAM.]

SHERWOOD FOREST, *May 30, 1860.*

MY DEAR SIR: I owe you many thanks for your kind recollection of me at all times, and more especially of late for your regular remittance of the daily proceedings of the convention at Charleston. The times are so much out of joint as to have excited even with me, secluded as I am from the political world, an extraordinary degree of interest. I have regarded the Democratic party for many years as the only true Conservative party, eschewing sectionalism, and spreading, not only in name, but in policy, over the whole country. The severance which took place at Charleston filled me with apprehension and regret. I hope it may be able to unite at Baltimore, and, standing upon a sound platform, be able to challenge the support of the wise and good and patriotic of the land.

I have been for ten days at our Villa near Old Point, pressing forward preparations for the reception of my family. I return to-morrow for the same reason. My own health has been bad during the winter, and Mrs. Tyler is full of complainings. The refreshing sea breezes will, I doubt not, have a restorative influence.

With best wishes for your health and happiness,

I am truly and sincerely yours,

JOHN TYLER.

[PRESIDENT BUCHANAN TO ROBERT TYLER.]

WASHINGTON, *13th June, 1860.*

MY DEAR SIR: Do you wish me to place the letter of Captain Maddox to yourself on file? Also that of Mr. Iverson to him?

I am sure that you will think I ought occasionally to make an appointment according to my own wishes and judgment. I know the officers of the marine corps tolerably well, and I intend to exercise this privilege upon the present occasion. Although S—— has not yet been removed, nor is it yet ascertained that he will be a defaulter, yet the applications are already numerous for his place. *Your friend M—— will never be behind in this race.*

I return Mr. Campbell's letter according to your request. Immediately upon its receipt I spoke to the Secretary of War upon the subject, and he informed me that the rule as to the length of time a surgeon should remain at West Point had been changed, and that Dr. Campbell was the first whom this change had affected. He gave me strong reasons for the change, which I have not time to repeat. His successor, Dr. Hammond, has seen much hard service in New Mexico and our remote frontiers. So says Gov. Floyd, who informs me it is too late to recall Dr. Hammond's appointment. I am sorry I did not know the facts in time. I believe the service of a surgeon at West Point has been reduced to two years.

I have hardly time now to say my prayers. Should they succeed at Baltimore in rejecting the regular delegates from the seceding States and admitting those who are "*bogus*," then Douglas will or may be nominated. In that event the unity and strength of the Democratic party is annihilated and Lincoln elected. This is not the worst. The Democratic party will be divided and sectionalized, and that too on the slavery issue. Everything looks bad,

not only for the party, but for the country. The information from New York is not very encouraging.

In haste, always sincerely your friend,

JAMES BUCHANAN.

P. S.—I hope you will be to see us ere long and stop at my house if you like the entertainment.

[To ROBERT TYLER.]

VILLA MARGARET,¹ July 22, 1860.

MY DEAR ROBERT: . . . We begin to have more numerous calls by visitors to this region, and I become daily better informed of the status of public opinion. The effort is making in Virginia to concentrate the Democratic vote by running the same ticket for Breckenridge and Douglas, the electors to cast their vote according to the sense of the majority. Breckenridge would lead the ticket by a large majority, and the Democratic ascendancy would be secure. Without some such arrangement, the divisions in the Democratic ranks may, and most probably will, lead to conferring on the Bell ticket the plurality vote. I find with many a positive aversion to Douglas,—so great that they denounce all fraternity with him, while similar feelings are ascribed to very many Douglas men. I have much doubt whether any harmony of action can be brought about. There were for the Southrons at Charleston but two courses to pursue, and they adopted neither. The first was to press the nomination of some one whose name would have constituted a platform in itself, or *universally* to have seceded and proceeded at once to the declaration of their platform and the nomination of candidates. My own feelings ran strongly in favor of Lane, and Bayard of Delaware; the first as the pioneer of the West, the last as coterminous in more than mere residence with New Jersey and Pennsylvania. By splitting up at Charleston they lost the prestige of victory; in other words, they played the game badly by throwing away their trump card.

The consequences of Lincoln's election I cannot foretell. Neither Virginia, nor North Carolina, nor Maryland (to which you may add Kentucky, Tennessee and Missouri) will secede for that. My apprehension, however, is that South Carolina and others of the cotton States will do so, and any attempt to coerce such seceding States will most probably be resisted by all the South. When such an issue comes, then comes also the end of the Confederacy. I know the value of the Roman maxim "never to despair of the Republic," but confess to the gloom which overspreads and enshrouds the country. I can now do nothing more than fold my arms and pray for deliverance of the country from the evils which beset it. Does not every day render the difficulties which assail a confederacy of States in the selection of their chief magistrate more and more conspicuous?

The President, in his late speech, has acquitted himself well. You did right to preserve silence. He has been uniformly polite to you, and for that I thank him; but he is altogether *your debtor*. No one has been so true to him or rendered him greater service. Heretofore he could not have spared you

¹ Mr. Tyler's summer residence at Hampton, Virginia.

from your position in Pennsylvania; but now his political days are numbered, and his sand nearly run. He might now reciprocate by rendering you service. Will he volunteer to do it? or, having squeezed the orange, will he throw the rind away? *Nous verrons*. I may do him injustice in regarding him as a mere politician without heart. I hope I am mistaken.

On Thursday next I propose going to Sherwood Forest, where I may remain for some weeks. Give my devoted affection to all your family.

Your father,

JOHN TYLER.

[TO ROBERT TYLER.]

VILLA MARGARET, *August 14, 1860.*

DEAR ROBERT: The country is undoubtedly in an alarming condition. While I think you are too bitter on Douglas, yet I consider his course, and that of his friends, unfortunate. In truth, I see nothing to approve on either side. The eight Southern States, had they remained in the Charleston convention, might easily have defeated him, and, making a proper selection, might have waived a platform altogether. Bell becomes stronger every day, as is proven in the Missouri election; but still I persuade myself that Breckenridge will carry majorities in most of the Southern States and the plurality in Virginia; but of course everything is in doubt by the division in the Democratic ranks. Let things result as they may, I fear that the great Republic has seen its last days.

But I did not mean to do more than to say to you that you had better make us a visit here for a short time. We have a delightful place, and a change of air would benefit you in all probability. Your friend, C. H. Mallory, expresses a great desire to see you.

Love to all.

Your father,

J. TYLER.

[TO HON. H. S. FOOTE.]

SHERWOOD FOREST, *August 26, 1860.*

MY DEAR SIR: Your letter of August 21st was forwarded to me from the summer residence of my family, near Hampton, to this place, and only reached me an hour ago, asking of me a declaration in writing expressive of the opinion that the Breckenridge and Lane ticket should not be run in the Free States, and that the Northern field should be left exclusively in the possession of their adversaries. Pardon me, my dear sir, for declining the public expression of such an opinion on a subject with which I am so little acquainted as the relative strength of the several candidates in the unfortunate quadrangular contest which now prevails. It may very well be that in some of the Northern States Mr. Breckenridge is stronger than either Mr. Douglas or Mr. Bell, in which event it would be altogether out of place to advise his withdrawal from the canvass in those States. My remarks to Mr. Withers, to which you refer, had exclusive reference to the State of New York, where, according to the newspaper editors, Mr. Breckenridge has no available force, and where it is said a combination of all the conservative forces is necessary to defeat Mr. Lincoln. To detach New York from his support, or some other of the Free States, is supposed to be the only "open sesame" to the hopes of

the other candidates. Whether it is necessary for any one of the other candidates to withdraw, you will much better understand than myself. The rivalry between Messrs Breckenridge, Douglas, and Bell, in the Southern States, is not so much for majorities as *pluralities*, which count as majorities in the end. "*Non nostrum componere lites.*" In the midst of faction I should only meet with ridicule for interposing my opinions. Excuse me for preferring the profound quiet which I desire to enjoy.

You do me no more than justice in ascribing to me conservative opinions. The expanding power of these States has been the subject of my warmest contemplation. The future glory of the Union has wrapped me in a vision of ecstasy. Exeter Hall for a season was not permitted by its impertinent interference in our affairs to cast a shadow over so bright a vision. The separation between this country and Great Britain, I flattered myself, had been completed, alike in opinion and government, by the surrender at Yorktown. It is only in these latter days, when that Hall has sent over its agents to foment sectional divisions among us, and American citizens have crossed the ocean to enter into its conferences, esteeming themselves as honored by the plaudits they have received, that I have painfully felt for the condition of the country. The English sentiment engendering bitterness and enmity has to a great extent superseded the American of harmony and love. However, my dear sir, every free government has had its Catalines, and it is hoping against hope to expect that we should escape the fate of other nations. My only reliance is on the good sense of the American people to crush out all wicked designs and put their heels on the necks of the workers of mischief.

With high respect and esteem, faithfully yours,

JOHN TYLER.

[To ROBERT TYLER.]

SHERWOOD FOREST, *August 27, 1860.*

DEAR ROBERT: I think it best to enclose you these letters. There are parts of mine you may not be able to decipher accurately. It is the first draft. The gentleman alluded to—Colonel Withers, of Mississippi—called on me at the Villa Margaret, and, as the condition of the times is the fruitful subject of conversation, it came soon to be introduced. I expressed to him the gratification I had felt at the fusion between the Douglas and Bell men in New York, and expressed the hope that all conservatives would unite on the same ticket; that in my view the defeat of Lincoln was the great matter at issue, and that all others were subordinate; and probably said that if I lived in New York, although I was decidedly a Breckenridge man, I would advocate the fusion ticket. This, it seems, he reported to General Foote, and hence the correspondence.

There can be no possible doubt of Lincoln's election unless some one of the so-called free States is snatched from him. I presented also another idea to Colonel Withers, and that was that to defeat Lincoln was to elect Breckenridge or Lane, I cared not which, by throwing the first before the House, the last before the Senate. This has called forth the letter of my old friend General Foote, who is a Douglas man. I enclose it to you, so that if you should see any reference made to my opinions by General Foote, or any other which

may call for explanation, you may be in proper position to make it by the publication, if necessary, of my letter. I said to Colonel Withers (and hence the reference to Cataline) that I regarded Seward as the Cataline of our day, and that to reach the presidency he would quaff blood with his fellows, as did Cataline of old. and expressed the hope that there would still arise a Cicero to denounce him in the Senate chamber.

I am here to superintend the delivery of my crop of wheat, which, although full of promise on the 1st of June, turns out a miserable failure. I shall remain during the week, and then back to Hampton.

Do give me some account of Pennsylvania. How goes the night? I think, after all, that everything depends on her. If I deceive not myself, Breckenridge will carry pluralities in a large majority of the Southern States, so as to present Lane to the Senate, should Lincoln not be elected by the popular vote. I live in the hope that a defeat of the negro-men now will dissolve their party.

Write me soon. Love to all.

Your father,

JOHN TYLER.

[TO ROBERT TYLER.]

VILLA MARGARET, Sept. 14, 1860.

MY DEAR ROBERT: . . . I see the election is gone in Maine, although Douglas confidently calculated on carrying the State. Such were his declarations here. You say nothing to me as to Pennsylvania. Can you hold out any hope in regard to it? I am almost in despair as to results, and deeply meditate the future. The Marylanders have struck upon the right key in nominating Chief-Justice Taney and Nelson. I fear that they move too late. My hope is that many here will come to their reason before it be too late; but it seems to me certain that Lincoln is to be elected, in despite of all combinations. How stand things in New Jersey? The increase of the Republican vote in Maine augurs an increase all through the free States.

What does Seward mean by originating a war on the army and navy? Does he design to hold out inducements to the *wide-awakes*? In his strategic game, does he mean to open to the ambition of his organized bands generalships, colonelships, etc., etc., and the \$25,000,000 now bestowed on the army and navy; and thus with his train-bands have his will supreme in the execution of his movements on the Constitution and the South? I suspect the man at every step and in every movement. A more arch and wily conspirator does not live. I can understand why, if the army or navy be too large, they should be reduced; but how to get on without them entirely I cannot understand. Or how the militia could be called on to do duty in fortifications and the Indian frontier, or how to collect a revenue, or claim the respect of the world without regular seamen, officers, and men, I cannot understand. If he makes the move, depend upon it he seeks only to further his ambitious schemes. Do write to me your opinion relative to Pennsylvania and New Jersey.

All send love.

Your father,

JOHN TYLER.

[TO DAVID L. GARDINER.]

SHERWOOD FOREST, *Saturday, October 27, 1860.*

MY DEAR COLONEL: . . . If elected, you will enter public life at a critical period. There is a deeper gloom resting on the country than I ever expected to see. Should New York rise up in her might, and declare against Lincoln, all will unite in ascribing to her great glory. She will, in truth, be hailed as the great conservative State. She will have rebuked the disorganizers, and imparted new vitality to our institutions. Should, however, the picture be reversed, and her great popular voice unite to swell the notes of triumph for the sectional hosts, then indeed will a dark and heavy cloud rest upon the face of the country, the bare anticipation of which is already felt broadly and extensively throughout this State. Property has already fallen in value amongst us, and there is an obvious uneasiness in the minds of all men. I will not permit myself to abandon the hope that the cloud which hovers over us will be dispersed through the action of your large and powerful State.

I am busily engaged in seeding a large crop of wheat. Shall I be permitted to reap it at its maturity in peace? Time will decide!

Truly yours,

JOHN TYLER.

[TO ROBERT TYLER.]

SHERWOOD FOREST, *November 10, 1860.*

MY DEAR ROBERT: . . . So all is over, and Lincoln elected. South Carolina will secede. What other States will do remains to be seen. Virginia will abide developments. The Bellites will seek to divide parties into Unionists and the reverse. We shall see the result. It is said that Rives is offered the premiership. He will only take it upon satisfactory assurances being given, I am sure. For myself, I rest in quiet, and shall do so unless I see that my poor opinions have due weight. In the meantime confidence between man and man is giving way, and soon gold and silver will be hoarded by those who are fortunate enough to have them.

Love to all.

Your affectionate father,

J. TYLER.

CHAPTER XIX.

1861.

"We of the North are a majority of the Union, and we will govern our own Union in our own way"—HON. EDWARD D BAKER, *in April, 1861.*

"The Southern States are in constant apprehension lest the government should be converted into a mere majority machine."—JOHN TYLER to L. W. TAZEWELL, *June 23, 1834.*

THE VALUE OF "UNION."—GRIEVANCES OF THE SOUTH.--STATE-RIGHTS DISCUSSED.—INJUSTICE OF THE WAR IN 1861.—SOUTHERN SOCIETY.--ELEMENTS OF THE REPUBLICAN PARTY.--SECESSION OF SOUTH CAROLINA—VIEWS OF MR. TYLER.—LETTER TO COL. GARDINER.—LETTER TO HON. CALEB CUSHING.--PEACE CONVENTION CALLED. —MR. TYLER APPOINTED BY THE VIRGINIA LEGISLATURE A COMMISSIONER TO PRESIDENT BUCHANAN. - FORT SUMTER.—REMOVAL OF MAJOR ANDERSON.—SEIZURE BY THE SOUTH CAROLINIANS OF FORT MOULTRIE.--SAILING OF THE "STAR OF THE WEST."—FIRED ON AND COMPELLED TO PUT BACK.—COL. HAYNE SENT AS COMMISSIONER TO WASHINGTON.—ARRIVAL OF MR. TYLER IN WASHINGTON.--KIND RECEPTION BY MR. BUCHANAN.—INDIFFERENCE OF CONGRESS.--MR. TYLER'S LETTER TO HON. WYNDHAM ROBERTSON.—PARTING LETTERS BETWEEN MR. TYLER AND THE PRESIDENT.—MR. TYLER RETURNS HOME FROM HIS MISSION.

"WORDS are things," and the word "Union" was worth thousands of armed men to the North during the late war between the States, just as the word "protection" has been worth whole books of argument to those who have condemned the free intercourse of man with man in order to enrich the few. It was the sentiment of "Union" that had bound the South to the North, while enduring from the first a tyranny for long years beside which British tyranny was liberty. With what bitterness of soul must the Southerner in 1860 have contemplated the years that had passed since the destiny of the country he loved had been linked with those with whom there was no substantial sympathy whatever.

A man could spend hours in telling what the South and Southerners had done for the "Union," but it would puzzle the best historian of the age to say in what measure adopted by Congress Virginia ever received one "iota" of benefit. By the Funding

and Assumption laws she paid immense sums to New England; by the treaty of Jay, in 1794, her tobacco was handed over to be butchered by continental tariffs; and under the tariff laws, as Mr. Sumner says, her tobacco either supported the government or went to build up the industries of the North. The United States Bank, which enjoyed the use of the Government deposits, was located at the North, and was of Northern advantage chiefly. So with all the profits arising from the American system. They were so much precious blood, amounting in value to *billions* of dollars, extracted from the veins of the South, and made to enrich a community which, AFTER ONE HUNDRED AND SIXTY YEARS of existence by the side of this State, was, after the Revolution, the *picture of poverty and anarchy*. What a mockery to talk of the principle for which we fought the Revolution when the Union had served, as the prophetic Grayson said it would, as "a mere pretense to ruin and destroy"! The South furnished nearly all the exports, and while a tariff confined to the South, under a Southern government, was objectionable only because of the classes it discriminated against, when the two sections, North and South, had the same law, it was, as Coleridge said, like taxing "every person in Devonshire for the pecuniary benefit of every person in Yorkshire."

And what must be thought of New England, who, to quote Prof. Sumner again, "would not even give the South a patient hearing, in 1828," of a question vitally affecting them? Even the tariff of 1846, regarded as a revenue tariff, was injurious to the South, since all tariffs are, as far as they go, protective and unequal. What must be thought of a people, I repeat, whose minds could never take in the range of national glory, and whose descendants even now consider it a merit that they opposed such national measures as the annexation of Louisiana, Florida, and Texas; and whose counsel, had it been followed, would have confined our territory to a comparatively contemptible strip on the Atlantic shore? Surely, it was a poor fruit to gather from their free schools not to see that the greater the extent of our domain the greater the room for progress, and the weaker would slavery become.¹ Nor could

¹ Gouverneur Morris, alone of the New England Federalists, caught the idea that New England ought to be the section of the Union more than all others benefited by the purchase of Louisiana. The same compliment may be paid to Caleb Cushing and George Bancroft in respect to Texas.

they hide themselves behind the plea of "slavery extension" in the case of Texas, and the negotiations by Mr. Tyler for California since their course in 1787 on the Mississippi question, and in 1803 on the annexation of Louisiana, was marked by the same narrowness of mind. Whatever history may say of the valor and private virtues of the New Englanders, it can never give the majority credit for any well considered statesmanship on any important question of politics. It is now seen by all that the people of the Northeast section were the greatest pecuniary gainers by our several annexations, while the slavery question was capable alone of the solution that awaited it by the acts of the South, which made the free interests so vastly dominant, and which were supported by the *mass* of the Southern people from the most patriotic motives, having little reference to aught else than the national glory.

The same narrowness of mind characterizes the *ultra* Northern writers in their treatment of the slavery question. They take the increasing demands of the Southern men from 1846 to 1861 as evidences of increasing strength on the part of the "slave-power" and growing assumption. They *will* never understand that the question was a matter of *principle* with the South, and of rights which, whether found in morals or not, were imbedded in the supreme law of the land, and in facts which the North itself once recognized. If, indeed, the convictions of one section had changed, it was an argument for the dissolution of the Union, but not for a tyranny over the South, to which the public faith was pledged. Thus the South demanded the more rigid enforcement in 1850 of the fugitive slave law,—not because of any sordid pecuniary spirit, or because they wished to triumph over the North, but because their *honor* demanded that, if there was a right, they should have it respected. It was certainly unfortunate that so indefensible a system as slavery was coupled with the assertion of that right. Thousands in the South had no slaves, and would never have risked one drop of blood for the institution, but they resented the dictation of the North, and knew very well that the *principle* involved in the slavery struggle was *that which had developed in the "tariff of abominations."* That principle was well expressed in the speech of Edward D. Baker, of Oregon, a member of the United States Senate in 1861, and specially violent in urging the North to a furious war of invasion against the South. At a great Union

meeting in New York, in April, 1861, he made a speech, saying: "We of the North are a majority of the Union, *and we will govern our own Union in our own way.*"¹

It was this spirit which animated the North in the tariff controversy of 1828 to 1833. It was this that made them such strenuous supporters of the enforcement of the laws, because the laws to be enforced were *their* laws. It was this that made them think it was a disgrace, in 1833, for the Government to yield a cent of the tariff rates in the face of open revolt. It would have been no disgrace for the British government to have done so in 1776 in respect to the tea tax; but the North was now in the place of the British government, and so the spirit had changed. They forgot that at no time whatever could any government be humiliated by doing the right. It may be said with certainty that the South would never have endured the nullification of any other law by the Northern States half as long as they did the fugitive slave act. But it must be always kept in mind that slavery, "now the dead lion which every ass may kick," was an existing thing in the South and easily explainable, not by any inferiority of Southern philanthropy, but by the stern code of circumstances, to which the North was a stranger. As an existing entity rights attached to it, which the South were bound in honor to defend against all the world, it may be, or lose their claim to be classed as *men*. That honor they vindicated when the apparent test question of slavery in the Territories became itself an abstract one, and on the field of battle, which they knew imperilled slavery far more than any assault that could be made upon it within the Union. The emancipation of slaves by the late war is the best evidence that the South never fought for slavery, but *against a foreign dictation and a sectional will*. Within the Union slavery was probably secure for many years to come. The war was nothing more than the outcome of a tyranny exerted for seventy-two years by the North over vital interests of the South. The only point of doubt to the mind is whether the South in their absorbing love for the Union, the beauteous child of their policy, did not delay too long in the assertion of their character as men entitled to revolution, or as States entitled to secession. It was only after they had washed out the indignities in blood, and fallen it may be before

¹ R. R. Howison's History of the War.

numbers, that they could be justified with *their* notions of right in submitting to a tyranny which they condemned. It is surely no dishonor to submit after subjugation.

The election of Lincoln, I have said, was the straw that broke the Southern "milch cow's" back. It was not that he was a Northern man, but that he personified the spirit of sectional rule which the South had had such good cause to resent, and of that lawless Western spirit born of the prairies and mining districts. Hardly a Southern vote was cast for him. The character of the party that supported him was entirely sectional, and his election, though under constitutional forms, was the proclamation that the Constitution of compromise had ceased to exist. So South Carolina undoubtedly thought, since she speedily summoned her convention, and repealed her ratification of the Constitution given with so much enthusiasm in 1788.

This act of South Carolina, if viewed as one of caprice, made her responsible to the other States. Apart from all right, and all theories of Union, the practical question would still remain, Will my confederates in Union acquiesce? Granted that all the right was on her side, the other States exercising their own judgment would probably view the interests of the league as outweighing all such considerations. If our Northern friends would put the justification of the war on this basis, the South could appreciate it. There is something bold and honest about—

"That good old rule, that simple plan,
That he should take who has the power,
And he should keep who can."

I have already reviewed the doctrine of State sovereignty, and observed the limitation under which its final guaranty existed. That the States were sovereign bodies had been admitted by every statesman of prominence, North or South, and by repeated judicial decisions of the Supreme Court. The motion to every organic act had come primarily from the States. The Congress of 1774 was due to revolutionary bodies existing in the colonies. It was the agent merely of these revolutionary units, and its acts recommendatory in their nature. The Articles of Confederation expressly called the Union a league, and numerous acts of all the States solemnly spoke in the name of sovereignty. The Constitu-

tion of 1787 differed from the old Articles in the disposition of powers merely.¹ The government, under the new Constitution, after passing an act, saw to its fulfilment. The government, under the old Articles, after passing an act, left its execution to the State authorities. It was a difference of power merely, and did not alter the character of the Union as a league. To render this entirely plain, suppose a clause in the present Constitution expressly declaring the Union to be a league, could the operation of the laws on individuals prejudice the fact? But it is admitted by all that the Federal government is one of limited powers, and the tenth amendment specially reserves the "powers not delegated to the United States to the States respectively, or the people." Now, in 1786, the State of Virginia passed an act, drawn by Judge Tyler, which said that the "constitution, sovereignty, and independence" of the Commonwealth should at all times be maintained and supported, and denouncing it "as highly criminal in any one to alienate the citizens of the State from their attachment and allegiance to the same."² How, then, can it be supposed that the State, in acceding to the new Constitution, thought of surrendering that which was esteemed so precious two years before?

But this is not all; the State of Virginia expressly reserved the right of repealing her act ratifying the Federal Constitution, and resuming the powers granted under it "whenever the same should be perverted to her injury or oppression."³

But Mr. Curtis disagrees with me, and says that the Constitution was a "grant of political sovereignty" to the Federal government over the people of every State to the extent of its enumerated powers,⁴ and admits that, if the premises of the State-rights theory were right, the deduction that a State had a right to secede was sound. This ascription of sovereignty to the Federal government is Federalism with a vengeance! But what does the Virginia Bill of Rights say? "That all power is vested in, and consequently derived from, the people; that magistrates are their

¹ The argument drawn from the difference of names of the Articles of Confederation and of the new Constitution amounts to nothing. Madison himself called the "Articles of Confederation" the "Federal Constitution." See his bill for punishing filibustering in 1784, *Hen. Statutes*, xi., p. 471.

² See Vol. i., p. 137.

³ See Vol. i., p. 146.

⁴ Curtis' *Buchanan*, ii., pp. 316, 317.

trustees and servants, and at all times amenable to them.”¹ The Federal government is merely a trustee wielding certain powers in behalf of the people. With the same reason the people might have a hundred governments all operating directly upon individuals. Now, had Mr. Curtis ascribed this sovereignty to the people of the United States to the extent of the enumerated powers, there might have appeared some logic in his treatment. But in either case his theory is subject to the radical vice that it supposes sovereignty divisible. The States—*i. e.*, the people of them—have been over and over recognized as sovereigns to the extent of their reserved powers; then it is clear that, if they are sovereign in part, they are so in whole. For I maintain that the “*understanding and the will*” of the State, which constitute its sovereignty, being spiritual, are indivisible, and if parted with at all must be parted with in their entirety.² The Federal government is no more and no less a servant of the people of each State than the State government is—only their powers over the State government is without responsibility, while in repealing the authority of the general agent they have to see to it that they do their associates no harm.

Now, *practically*, we may admit, in the case of a single State secession, be the cause what it may, that the remaining States would never confess the sufficiency of the withdrawal, and would insist upon the performance of her obligations under the compact. This meets the difficulty that some seem to apprehend from a dissolution of the Union by capricious acts of secession.³ But the question presented in the late war was one vastly different from this. It was that, in effect, of an entire section of the country, capable of maintaining itself before the world as an independent nation; capable of waging, as it did, the most gigantic war of modern times; of heaping upon the Northern States a debt that we are still paying off, and it will take many years yet to liqui-

¹ Judge Tyler said in 1807: “The King . . . is no more than a servant of the people, and is placed in the executive branch for their well-being and happiness, as our governor or president is, no matter by what name or title they be designated.”—*Letter to his son*, Vol. i., p. 201.

² See Vol. i., pp. 283-286.

³ The danger apprehended from this source is a bugbear. No State would ever think of abandoning the Union except for intolerable oppression, affecting many other States as well.

date; differing from the North in its institutions and occupations, and occupying a territory half the size of Europe. The "revolt" of such a section against a Union *which it had chiefly built up*, must show either an unheard of tyranny on the part of their confederates, or a diversity of interests so inveterate as to make a further connection a curse, such as to require a change in the whole aspect of affairs. It is in this view that the late war on the South appears the most unjust and unjustifiable ever waged upon a people.

The revolt of South Carolina, without any sympathy from her co-States, might be ascribed very justly to a *whim* excusing the employment of force; but the late war cannot be met in that way. It would be difficult, even taking the standpoint of those who most "glorify" in the war, to conceive of two peoples having better reasons for separate governments than the North and South in 1860. In spite of the taxes and restrictions systematically imposed from the foundation of the government to destroy the commerce of the South—a tithe of which imposed upon the trade of New England would have ground it into dust; in spite of the fact that the emigrants themselves from the Southern States to the West were chiefly from the young men who had no slaves, and in course of time swelled the ranks of the North; in spite of an enormous foreign immigration, who avoided the South because they could get lands far cheaper in the West, and had a race antipathy to the colored man,—in spite of all these things the South, in 1860, still furnished three-fourths of the exports of the country, and had regularly and powerfully increased in population and wealth. The cause was the restorative powers of the soil.

Schools and libraries, indeed, were unfortunately not as common in the South as in the North, and the number of illiterates among the whites was in excess of the number in the other section; but in respect to true education—that which comes from circumstances reaching far beyond the narrow confines of the "Third Reader" or the arithmetic of fractions—there was no truer intelligence than in the South. The free intermingling of people of all classes at the court-houses and churches, the stump speeches, and "hail fellow well met" spirit born of the country, diffused the information of the cultivated statesmen among the most indigent people. I have often had old farmers tell me of

the numberless conversations that they heard from such men as Mr. Tazewell on the court-green. There was nothing of this in the North, where town life made people strangers to one another.

The words of Spotswood in 1710 still applied to Southern society in the general.¹ No people were more energetic, or more capable of bearing hardships and fatigues; and while the energy of the North was, in a measure, one of speculation, or of adding figures in the easy retreat of the counting-room, that of the South was mainly the energy that wrestles with nature in its strength—superintending the farm or holding the plow.

The record of the South in the more contemptible grades of crime was in bright contrast with that of other countries. The virtue of the women, even in the lowest classes, was beyond suspicion. Few indeed were the houses of prostitution that disgraced the whole territory of the South. Thefts were scarcely known, and the prison-houses stood empty during almost all the year. A prize-fighter was simply an impossibility in such a community. There were no laws, like those in the North, almost inviting the severance of the marriage tie, and divorces scarcely ever occurred. While riots and strikes happened every month in the North, the South enjoyed a profound repose. Since Nat Turner's feeble rebellion, no disturbance worthy of the name had taken place. So far as the mere physical sufferings of slavery were concerned, taken in its entirety, it was certainly as little as that of any laboring population in the world. Even in 1724, Rev. Hugh Jones asserted that the negroes of Virginia eat "wholesomer bread and better meat, with more plenty and ease," than the wood-cutters of England. "And when they are sick," continued he, "their owners' interest and purse are deeply engaged in their recovery, who likewise are obliged to take all the care imaginable of the children of their slaves, for their own great profit."² And Madison, in 1816, testified to the vastly improved condition of the slaves. But this is an old story.

An examination of the various elements of the new party which, under the mocking name of the *Republican* party, had now ascended to power, discloses a curious result. In the first place, (1), as the foundation of and giving the momentum to the mass, we

¹ *Spotswood Letters*, vol. i., p. 27, and *ante*, Vol. i., p. 47.

² Rev. Hugh Jones' "Present State of Virginia," Appendix, p. 114.

notice the Abolitionists, who proclaimed "the dissolution of the American Union, the primary object of their agitation." In the second place, (2), we observe the anti-Masons, led by Seward, now the leader of the Republican party,—the inventors of the national political convention, and intriguers bred in the worst school of New York. Next, (3), we notice Blair and his *loco-focos*, the old spoils-partisans of Van Buren and Jackson. Then, (4), came the "Know-nothings" with their secret mysteries attacking religion and all confidence lying at the basis of society. Add to these a smattering of, (5), Free-lovers and, (6), Atheists, and (7), the set of Western adventurers whom Sallust describes as "*plebes novarum rerum cupida*;" and one has the Republican party of 1860. Was it any wonder that the South was alarmed at the fearful picture of Lincoln's election, indicating as it did the resolve to *dominate*, though the dissolution of the Union should be the result? Could elements more lawless in principle, or more dangerous to all government in practice, ever have been gotten together? In a word, the Republican party of 1860 comprised all the eccentricity and erraticisms of all parties developed or manifested since the elevation of John Quincy Adams as President of the Union in 1824.

Of course the leaders of such a party must be typical of the mass. These were chiefly what were called "self-made men,"—men certainly deserving every praise for their efforts in raising themselves above the mass; but while reflecting credit upon themselves, not so capable of reflecting credit upon the people. They were men learned in little things, but with minds incapable, by want of early education, reflection, and association, from grasping any wide range of thought, or conducting important affairs of State. It is certainly a strange commentary, that the superior educational system of the North should not have taught the people a higher appreciation of the graces of education in their rulers. Nor can it be explained in any other way than that the people of the South were better educated in the general range of the mental faculties.

Unwilling as I am to say anything derogatory to the praise of Mr. Lincoln, I could not be faithful to my duties as a historian if I should fail to say that the personal qualities of the man was an element figuring not a little in driving the Southern States into secession. They saw the Northern people deliberately discarding their best educated statesmen, like Winthrop and Everett, and

adopting one who, as compared with all the other presidents who had preceded him (all of them more or less household names), was absolutely unknown to the people of the Union. But when they heard of his origin as of the humblest, of his lack of the commonest social and educational advantages, of his ignorance of law,¹ of his "Wild Western" jests, and associated this with the reckless tendencies of the party which acknowledged him as a leader, never had the Constitution, which depended upon enlightened interpretation, appeared more like "a rope of sand" to every interest of the Southern people. The Southerners turned more and more to the views of the old Antis in the State conventions of 1788. At that time the new Constitution had been supported because of its expected advantage to each and every part of the Union. But the old statesmen—Henry, Grayson, Tyler, Monroe, Mason, etc.,—had had a clearer perception of the truth of its operation in interested hands, and towered high in the affections of the Southern people.

Immediately after Lincoln's election, the people of South Carolina called a convention, and adopted their ordinance of secession. The other Southern States were fully in sympathy with her, but the sentiment of "Union" wrestled strongly in their breast, and delayed their action. Especially was this sentiment active in Virginia, who had contributed more than all the North together in conferring sanctity upon the word. And now once more Mr. Tyler appeared upon the field as an active political factor, and as truly representative of Virginia in her best days. Who, indeed, (boasted his friends) of the living men of that day had done one-tenth as much to advance the destinies of the country? Who was there so experienced in affairs of State, so moderate in debate, so suggestive in council, and yet so resolute of will and firm of purpose? The eyes of the whole State were soon turned to him in his retirement for some happy sign which might save the Union, and save them from the dire alternative of withdrawing from it. On November 16, 1860, he wrote to Dr. Silas Reed, of Boston:

I fear we have fallen on evil times, and that the day of doom for the great model Republic is at hand. Madness rules the hour, and statesmanship in all its grand and massive proportions gives place to a miserable demagogism which leads to inevitable destruction. The first makes its appeal to the great

¹ See extracts from his speeches on the tariff, etc., *Howison's History of the War.*

concerns of social and individual interest, and looks to the achievement of national greatness and prosperity; the last seeks to unsettle nationalities for the petty objects of selfish ambition, makes its appeals to the passions and prejudices of the multitude, and would rather rule in hell than serve in heaven. This last agent is now, and has been for years, in active operation. It has now gained the ascendancy, and the fate of the Union trembles in the balance. Ever since a senator, regardless of his oath to sustain the Constitution, set up a law for each man above the Constitution, I foresaw that the game of demagogism and treason was fairly started, and that unless arrested it would end in ruin. How could it be otherwise, I shall not put myself to the trouble of working out the solution. No reflecting man could doubt of results.

In the midst of all this I remain quiescent. No longer an actor on the stage of public affairs, I leave to others younger than myself the settlement of existing disputes. Nor can I say what course Virginia will adopt. Always conservative, she will be ready to intervene with conservative views.

He aptly expressed the struggle between sympathy and sentiment going on among the Southern people outside of South Carolina by alluding to his own feelings, as follows:

What will be the ultimate result of all this I may not be able to say. I fear the end will not prove to be propitious to the Union. In view of the constant heart-burnings which prevail, I am not prepared to say that harmony can ever be restored, and sometimes I think it would be better for all peaceably to separate. The North would have its wish for a Republic homogeneous in its population, and so would the South. Commercial relations would soon spring up between them, and all things be restored to peace. And then again, when I look to the grandeur of our institutions and their ultimate glory, I sigh over the degeneracy of the times which will not let well enough alone; and the enthusiasm of by-gone days is awakened for the Union as it was of yore.

The case of the Union at this time was indeed a desperate one. Mr. Tyler saw it, and keenly appreciated it. His attitude on the questions of the hour was precisely similar to his bearing in the nullification days. He entirely sympathized with the grievances of South Carolina, but disapproved of her policy; but he was not the man to lose the substance in the shadow. After all, the cause of South Carolina in 1833 and 1861 was the cause of the South, as against the Northern mobocracy, which was not much changed by the mere remedy; but the appreciation of this fact neither made Mr. Tyler a nullifier in the one instance nor a dis-Unionist in the other. Whatever the question, Mr. Tyler wanted to put the Federal government so clearly in the wrong as to produce an entire

unity of action on the part of the South; and in this light he regretted the action of South Carolina. Now, the trouble was that the tariff of 1828 and the election of Lincoln in 1860 were both under the protection of constitutional forms, although the party benefited by them had found a law higher than the Constitution, and had no right to such a claim. It was different in 1820, where the action of the North on the Missouri question was boldly in the teeth of the treaty of 1803, against the wish of Missouri, and against the precedent in the case of Louisiana. The South, on that question, had come up in solid array from the start; and indeed were only mollified by what was considered a victory on the main question—that is, the admission of Missouri.

In the present instance, Mr. Tyler's views of what the Southern States should do was marked by characteristic sagacity. The action of South Carolina had brought the slavery question to an issue, and it was beyond all things important that the representatives of the cotton States should retain their seats in Congress, where, with the Democrats of the North, they constituted a decided majority of the two Houses. The President, Mr. Buchanan, in his message of December 3, 1860, had, while maintaining the power to assert the laws of the Union by the whole force of the nation if necessary, urged upon Congress, as a means of pacification, an explanatory amendment, settling the true construction of the Constitution on three special points: (1), An express recognition of the right of property in slaves in the States where it now exists, or may hereafter exist. (2), The duty of protecting this right in all the common Territories, and until they shall be admitted as States of the Union, with or without slavery, as their constitutions may require. (3), A like recognition of the right of the master to have his slave "delivered up." Now, as the Republican party contested none of these suggestions as unconstitutional merely, not even the second one in regard to the Territories, and as the concession in that case was a mere abstract one, it did not seem to Mr. Tyler an impossibility to obtain their recognition, soothing as they would be to the whole Southern people. "If I had been one of the majority, and my voice might have been heard, I would have begged and supplicated the cotton States to have held on to their position."¹

¹ Words of Mr. Tyler in the State Convention, March 13, 1861.

In presence of civil war Mr. Tyler counted on something of an issue like that which had attended his efforts in 1833, when he, more than any other man, secured a victory for the Union in the passage of the Compromise act. Such recognition would have assuaged the sensitiveness of the South and dumfounded the agitators of the North.

In his private letters, therefore, Mr. Tyler repeatedly urged the propriety of a convention of the Border slave and free States. This would serve to enforce the patriotic policy of Mr. Buchanan to bring the question to a peaceful issue—so consonant with the civilization of the age, the nature of our government, and the true character of the Union, which was intended to protect the interests, not of a part, but of all its members.

Three weeks after his letter to Dr. Reed, of Boston, I find him writing to Hon. Caleb Cushing, of Massachusetts, as follows :

[TO CALEB CUSHING.]

SHERWOOD FOREST, Dec. 14, 1860.

MY DEAR SIR: I thank you most sincerely for your most eloquent and able speech, delivered before the good people of Newburyport, on the critical condition of public affairs. The strongest evidence of the madness of the times is to be found in the fact that an address so unanswerable, so patriotic, so every way calculated to arrest the downward tendency of the country, does not at once tell on the hearts and minds of the good people of Massachusetts. They, however, still seem to slumber on, and are so deaf as not to hear the unmistakable mutterings of the storm which is destined so soon to break forth.

I confess that I am lost in perfect amazement at the lunacy which seems to have seized on the North. What imaginable good is to come to them by compelling the Southern States into secession? I see great benefits to foreign governments, but nothing but prostration and woe to New England. Virginia looks on for the present with her arms folded, but she only bides her time. Despondency will be succeeded by action.

My own mind is greatly disturbed. I look around in every direction for a conservative principle, but I have so far looked in vain. I have thought that a consultation between the Border States, free and slaveholding, might lead to adjustment. It would embrace six on each side. They are most interested in keeping the peace, and, if they cannot come to an understanding, then the political union is gone, as is already, to a great extent, the union of fraternal feeling. When all things else have failed, this might be tried. It would be a *dernier resort*.

I shall be most happy at all times to hear from you, and assure you of my high esteem and warm personal friendship.

I write in haste and cannot copy.

Truly yours,

JOHN TYLER.

To David L. Gardiner he wrote :

[To COL. D. L. GARDINER.]

SHERWOOD FOREST, *Jan. 1, 1861.*

MY DEAR COLONEL: I am deeply concerned at the condition of public affairs. No ray of light yet appears to dispel the gloom which has settled upon the country. In the meantime the President pursues a wise and statesmanlike course. A blow struck would be the signal for united action with all the slave States, whereas the grain States of the border are sincerely desirous of reconciling matters and thereby preserving the Union. I have for some time thought that a conference between the Border slaveholding and non-slaveholding States would result in harmony, if it could obtain. They are so deeply interested in preserving friendly relations that they would agree, if agreement be possible. I see that a movement of that sort has been originated in Washington. A day or two will disclose the result. I like also the movement of New Jersey, which seeks to ascertain through her commissioners the ultimatum of the cotton States, to be submitted to the Northern States. In a short time we shall know the doom of the Union. The low price at which the recent loan for the Government was contracted is of fearful augury. A loss of 37 per cent. on a small loan of 2,500,000 manifests a want of confidence in the stability of the Union of an alarming character. I hope, however, that the kind Providence which has so far protected us will open a way to peace and harmony. . . . Sincerely yours,

JOHN TYLER.

The pressure on Mr. Tyler for his views on the political questions of the hour became every day more urgent. He soon found himself compelled to give up the idea of leaving to "younger hands" the difficult task of settling the existing difficulties.

Mr. Tyler wrote to his son :

[To ROBERT TYLER.]

January 10, 1861.

DEAR ROBERT: The pressure on me for my opinions on the crisis leaves me no alternative. My views will be published in the *Enquirer* and *Whig*, I hope on Wednesday, certainly on Friday. Look out for the article. I think it will strengthen our friends in the North. I have no time for further remark.

On January 18 he wrote :

SHERWOOD FOREST, *January 18, 1861.*

MY DEAR ROBERT: . . . My paper did not come out in the Richmond papers on Tuesday as I expected. I suppose it reached Richmond on Monday too late for the press. I recommended a meeting of the Border States through commissioners. The course of the Pennsylvania and Ohio Legislatures, made known to me on yesterday, leaves but little hope of any adjustment.

The Legislature of Virginia have so trammelled their convention bill that I

fear that we shall have a doubtful result. They talk hereabouts of sending me to the convention. Should the application be made formally, I shall find difficulty in refusing; and yet I in no way desire it. My hope is that they will select some other. Compromise seems to be more distant every day. The fate of Crittenden's project, I suppose, will nearly conclude matters. Keep me advised about movements in Pennsylvania.

I am better in the last two days, but still infirm.

Your father,

JOHN TYLER.

The public letter of Mr. Tyler, mentioned in the notes above, and prepared at the urgent representations of his friends and the call of the public in general, appeared in the Richmond *Enquirer* of January 17, 1861, addressed "To my Fellow-citizens." In this letter Mr. Tyler, true to the principles which had ever guided his political course, maintained the Federal character of the Union, and suggested the scheme of a Border convention—already suggested by him in his private letters and conversations—as a practical remedy for the prevailing distempers. The concluding words of the letter thus given to the public were as follows:

I will not despair of the good sense of my countrymen. The hope will linger with me to the last, that there is enough wisdom and patriotism among us to adjust these difficulties, although I frankly confess my doubts and fears. The minority States can do but little more than suggest. The majority States hold in their hands the fate of the Union. I would by no means have Virginia to linger by the wayside. On the contrary, I would have her prompt and decisive in her action. She cannot be too prompt or decisive. Before her convention can meet, full developments of one sort or the other will have been made. She should place herself in position. Her destiny for good or evil is with the South. She was the flag-staff of the Revolution; and borrowing an expression from a recent production of one of her most gifted sons, she should have "springs upon her cables and her broad-sides too."

If I may be permitted to make a suggestion, it would be, that the Legislature, without delay, and without interference with its call of a convention, might inaugurate a meeting of the Border States of Delaware, Maryland, Virginia, Kentucky, Tennessee and Missouri, slave States; and New Jersey, Pennsylvania, Ohio, Indiana, Illinois and Iowa, free States; through two commissioners each, to arrange, if possible, a programme of adjustment, to be submitted to the other States as conclusive of the whole matter.

Should they agree, I think their recommendation would be followed by the other States, and incorporated into the Constitution, and placed on the footing of an unalterable compact. Surely no States can be more deeply interested in the work of restoring the country to quiet and harmony. If they cannot agree, then it may safely be concluded that the restoration of peace and concord has become impossible. I would have an early day appointed

for the meeting of the commissioners, so that Virginia, when she holds her convention, may be in full possession of the result.

Even if a failure to agree should occur, I would still have the Southern States, as a *dernier resort*, upon assembling in convention, and after having incorporated in the present Constitution guaranties going not one iota beyond what strict justice and the security of the South require, adopt the Constitution of the United States as it now is, and give a broad invitation to the other States to enter our Union with the old flag flying over one and all. When this is done, I would say in conclusion to my countrymen, rally back to the Constitution, thus invigorated and strengthened; and let there, for all time to come, be written on every heart, as a motto, that under all circumstances, and in every condition of things, there is but one post of safety, and that is to stand by the Constitution.

Events succeeded one another so fast in these troublous times, that when Mr. Tyler's letter appeared, Florida, Mississippi and Alabama had withdrawn from the Union, while Georgia, Louisiana and Texas were preparing to follow. In the very paper which contains Mr. Tyler's letter is an editorial upon the tender by the Legislatures of New York, Pennsylvania and Ohio, of men and money to the Federal government to coerce and subjugate the seceding States. Mr. Tyler now thought that there was "left little hope of any adjustment." After-events demonstrated the truth of this.

Nevertheless, Virginia was not to be deterred from carrying out the policy of mediation, so honorable to any civilized community, and so congenial with the past history of the State. With the view of finding some remedy to the distempers of the day, Governor John Letcher, who had succeeded Henry A. Wise in the executive department, had soon after the secession of South Carolina summoned together the General Assembly. It met in Richmond on the 7th of January, and immediately proceeded to its labors by the appointment of a joint committee of the House and Senate on Federal relations.

This committee did its duty quickly. On the 15th of January Mr. James F. Johnson, of Bedford county, reported to the Senate a preamble and series of resolutions proposing a Peace Convention of all the States, whether slave-holding or non-slave-holding, to agree, if practicable, upon some suitable adjustment for the restoration of the Union. On the 19th, Mr. Paxton, of the Senate, suggested as commissioners from this State the names of ex-Pres-

ident John Tyler, William C. Rives, Judge John W. Brockenbrough, James A. Seddon and George W. Sumners. Mr. Tyler was also appointed a commissioner to proceed at once to Mr. Buchanan, and Judge John Robertson a like commissioner to the State of South Carolina, and the other States that had seceded or might secede, with instructions respectively to request each of the parties to agree to abstain, pending the proceedings contemplated by the proposed Peace Convention, from any and all acts calculated to produce a collision between the States and the government of the United States. By another clause the General Assembly expressed its belief that "the propositions embraced in the resolutions presented to the Senate of the United States by the Hon. John J. Crittenden, so modified as that the first article proposed as an amendment to the Constitution of the United States shall apply to all the territory of the United States now held, or hereafter to be acquired, south of latitude thirty-six degrees thirty minutes, and provide that slavery of the African race shall be effectually protected, if necessary, as property therein, during the continuance of the Territorial government, and the fourth article shall secure to the owners of slaves the right of transit with their slaves between and through the non-slave-holding States and Territories, constitute the basis of such an adjustment of the unhappy controversy which now divides the States of this Confederacy, as would be accepted by the people of this Commonwealth."

In acting upon Mr. Tyler's well-known views of a Peace Conference, the Legislature enlarged it for the worse into a meeting of all the States, whereas his idea looked merely to a convention of the Border States. Mr. Tyler regretted this, believing that the seceding States would not send, and thus a majority appertaining to the free States, a scheme might be adopted inadequate to restore the Union. Circumstances had so developed, that whether the object was to call back the seceded States, or to secure the safety of Virginia within the Union, now bereft of her Southern sisters, she must have self-acting and self-protecting guaranties, not merely declaring provisions. From even a Border convention there appeared few hopes of success towards this end; but from a convention composed of a large majority of Northern States, dominated by Republicans, there appeared hardly any

at all. Mr. Tyler was too sagacious a man to hide this from himself.

But the course of the South was one of peace, and it was certainly the last wish they had to be brought in collision with the North. Mr. Tyler saw the importance of avoiding touching the pride of the North, and threw himself with all the ardor of a patriot into keeping the threatening powers apart. As soon, therefore, as the news reached Sherwood Forest of his appointment as commissioner to Mr. Buchanan, he lost no time, in spite of a severe indisposition, in setting about his duties. He arrived in Richmond on the 22nd of January, and having first held an interview with the Governor and his co-commissioner, Judge Robertson, he repaired by the next morning's train to Washington, which he reached on the afternoon of the same day. There he found a state of things which requires, for their proper understanding, a reference back to an earlier day.

The convention of South Carolina had assembled on the 17th of December, and on the 20th had adopted its ordinance of secession. On the 22nd three distinguished citizens of the State—Robert W. Barnwell, James H. Adams and James L. Orr—were appointed as commissioners to treat with the Government for the peaceable return of the forts to the State, and a full and fair money settlement of the difference between the value of the property received by her from the Union, and of her interest in that retained by the other States. This, of course, alluded only to things in being—the public debt, etc.; since, could all the money gathered from the tariffs have been credited to her side, the Northern States, who had received the benefit of the greatest part, could never have paid it.

Now, it is necessary to observe, that in the harbor of Charleston were several powerful forts, intended originally for the defense of that important city—Castle Pinckney, Fort Moultrie, and Fort Sumter. These were controlled by the old Government, but reverted, if the theory of State sovereignty was correct, to South Carolina on the dissolution of the old ties. It could not be supposed that any State, in making the cession, contemplated the possibility of their belonging to a foreign government; and in nearly every grant of the kind made to the United States there was contained a recognition of that sovereignty of the States,

which, admitted by all, was, like the *mind* of a moral being (and Vattel looks to that for the rights and duties of society,) in its very nature one and indivisible. Nearly every grant contained a clause declaring that, if the United States did not construct the works for the purposes proposed, the grant should be void, and also expressly reserving to the State full power to execute and make effectual *her own process* within them.

The act for the erection of fortresses Monroe and Calhoun provided that, "should the United States at any time appropriate them to any other purposes than those indicated in the preamble to this act, the same shall revert to and revest in this Commonwealth." Under the Confederation similar cessions had been made within the States, in respect to which there can be no question the United States stood on the same footing as any citizen of the State, subject to the right of the eminent domain.¹ Even in the State conventions in 1788, the old Federalists had laughed at the wiser and abler men who had expressed apprehensions as to the operation of the powers given of exclusive legislation over the military strongholds. Pendleton asserted the truth that the exclusive legislation granted to Congress in the District of Columbia meant merely one "over the local police of the place," to secure Congress "from any interruption in their proceedings." He indignantly reprobated the idea that such legislation would ever be used to affect the repose of the State by whom it was ceded.²

Of course, it was a matter of great importance to South Carolina to get possession of the forts within the harbor of Charleston; but it was equally a matter of importance both to the State government and the Federal government that neither party should commit the first blow. Those who censure President Buchanan at this juncture, in not proceeding (even if he had the means) at once to arms, only show their own lack of common sense. It cannot be doubted that there was a large body of Southern sympathizers in the Northern States, and to these an open aggressive act on the part of the Federal government would have been particularly revolting, while its effect on all the slave States would

¹ See the act of 1783, authorizing the United States, in Congress assembled, to procure ten acres of land in this State for the use of the United States.— *Hening Stats*, xi., p. 288.

² Elliot, iii., p. 439.

have been "united action," as Mr. Tyler said in his letter to Col. Gardiner, dated January 1, 1861. The Northern States had never lost anything by delay since the compromise of 1820. President Buchanan's Fabian policy, therefore, was invaluable to the cause of the North; and, as a proof of this, Mr. Lincoln himself had to come into it, but in a way that reflects little credit upon either his administration or himself. The delay from December until April saved to the North Delaware, Maryland, and Kentucky, while the firing on Fort Sumter, not by the order of South Carolina, but by the order of a government setting itself up as an apparent rival of that at Washington, was just the thing "to fire the Northern heart." But to return from this digression.

On Saturday, the 8th of December, 1860, four of the Congressmen from South Carolina had an interview with President Buchanan on the subject of the forts in South Carolina. Mr. Buchanan would make no pledges of any kind, but avowed his intention to be at present not to disturb the *status quo* of the forts in South Carolina by sending troops to the same or forwarding provisions. I think it clear, from the documents relating to the matter, that the South Carolinians laid too much stress upon Mr. Buchanan's language, and should without delay have quietly possessed themselves of Castle Pinckney and Fort Sumter, at which there were guards of only one or two men, which would have left the United States in possession of Fort Moultrie only—a comparatively weak fort. But the people of South Carolina, while as fiery as those of Massachusetts, are as generous and hopeful as children, and they reposed with great security on what were supposed to be the pacific views of President Buchanan. They even made something of a hero of Major Anderson, who commanded the troops at Fort Moultrie; for on the day before the new move, which we shall presently notice as taken by him, the authorities of Charleston honored him with a public entertainment. It was Christmas-day, too; the greatest hilarity prevailed; and it was not until late at night that Major Anderson wended his way back to his command. But at sunset on the next day, the 26th, the garrison of Fort Moultrie were ordered to pack their knapsacks and prepare for a retreat to Fort Sumter. The retreat was effected at dead of night, while the honest Carolinians were dreaming of anything rather than a hos-

tile step on his part. The discovery which was made in the morning of Major Anderson's act exasperated the Carolinians beyond measure. The result of their over-confidence was the loss of the strongest fort and the destruction of the defenses of another; for Major Anderson, in vacating Fort Moultrie, spiked the guns, dismounted the mortars, and set fire to the gun-carriages. On the other hand, Major Anderson maintained that his action was justified by the too extensive erection of batteries which were taking place around him. This the Carolinians denied. They charged that all the circumstances of the case made it a treacherous move on the part of Anderson to establish a hostile garrison in a powerful fort on the soil of South Carolina, which she could have occupied at any time, and which she forbore to take simply because of her trust in his outward pacific demeanor.

For my part, I do not believe there was any treachery at all on the part of Anderson, though I must regret that Christmas dinner and his other too friendly dealings with the South Carolina authorities, which certainly lent themselves to the encouragement of the confidence which he knew was entertained in him. Nor did the secrecy of his move, in the midst of peace, at all justify the extraordinary encomiums of the Republican press on his conduct. Forthwith he became a hero; hundreds of guns were fired in salutes to his honor; he was toasted in public feasts and private assemblies. The Philadelphia *Enquirer* saw so much wisdom, energy, and military forecast in the movement as to refer the whole work to the credit of the "brave old commander-in-chief General Scott."¹

These things excited the South Carolinians so much that they forthwith seized upon the arsenal in Charleston, the custom house, and all the other public buildings belonging to the United States in the city. A common sympathy began to spread throughout the South. Florida, Mississippi and Louisiana soon ranged themselves by the side of South Carolina. President Buchanan for this reason regretted the action of Major Anderson, but never having given any pledges to any one on the subject, he considered himself fully at liberty to approve the results of the removal, and to refuse the request of the South Carolina commissioners, then in

¹ Howison's *History of the War*.—*Southern Literary Messenger*, xxxiv., p. 286.

Washington, to order Major Anderson back to Fort Moultrie. The vital importance of Fort Sumter to South Carolina no doubt heated the South Carolina commissioners into the use of words, in their intercourse with the President, which is greatly to be regretted. But it is easy to perceive how misunderstandings should arise on questions so delicate as pledges of honor. There can be as little doubt as to the honesty of the South Carolinians as of Mr. Buchanan; and taking their view as correct, which in my judgment it was not, they were plainly justified in speaking very plain words to the President. The controversy which Mr. Curtis details between Mr. Buchanan and General Scott as to reinforcing Fort Sumter, very plainly shows that he was no more badly treated by the Southern men than by the Northern. The wicked charges of General Scott, which Mr. Curtis so thoroughly tears to pieces, remind us of Mr. Tyler's experience with his recreant cabinet in 1841, and the wonderful "dreams" of Blair in 1848 and 1856.

Mr. Buchanan finally declined any further communications from Messrs. Orr, Barnwell and Adams, and preparations were taken, under the advice of General Scott, to reinforce and provision Fort Sumter. This was unquestionably a departure from the wise course of policy which Mr. Buchanan had hitherto pursued, and was doubtless acquiesced in in response to the gust of enthusiasm occasioned in the North by the "chivalric" performance of Major Anderson. But Mr. Buchanan made a great blunder in sending the *Star of the West* to Charleston, instead of the sloop-of-war *Brooklyn*, which is not much extenuated by the fact of his reluctantly yielding his judgment in the matter to the "high military advice of General Scott." General Scott was old, and his mind not particularly vigorous, if we can judge from his queer statements to Mr. Buchanan's disadvantage made a year or two afterwards. If Mr. Buchanan intended to seize upon the *then* state of affairs as a favorable one to begin the war, he should have pursued a vigorous policy, and sent the *Brooklyn*. If, on the other hand, he intended to keep up his peace-policy, and only strengthen the garrison so as to enable it to maintain a siege, he should have first ascertained whether Major Anderson really needed his aid or not. As it is, it looks something like infirmity of purpose first to select the *Brooklyn*, and then to take the *Star of the West*; first to decide upon sending reinforcements without asking Ander-

son's advice, and then attempt to recall them, after learning by dispatch from him that they were not needed.

The *Star of the West* sailed from New York on the 5th of January. On the morning of the 9th she arrived near Fort Sumter, but being fired upon by the battery on Morris' Island, she soon found herself compelled to put to sea.

This roused Major Anderson in Fort Sumter, who threatened to fire on every ship within range, unless the act was disclaimed. Governor Pickens, of South Carolina, would disclaim nothing, and in turn made a demand upon Anderson for the surrender of the Fort. Finally a truce was patched up, by which the whole subject was referred to the Government at Washington. Lieutenant J. Norman Hall was sent to represent Major Anderson, while Governor Pickens dispatched Col. I. W. Hayne to look after the interests of South Carolina. The two gentlemen arrived in Washington together on the evening of the 13th.

It was now, when collision seemed imminent, and when States were seceding South, and resolves were being adopted North tendering money and troops to the Government, that Virginia undertook the glorious part of mediation. Her resolutions, already noted, calling a Peace Convention for the 4th of February, and appointing Mr. Tyler a commissioner to President Buchanan, and Judge John Robertson a commissioner to South Carolina, to press the preservation of the *status quo*, were introduced in the House of Delegates, as we have seen, on the day following the arrival of Colonel Hayne in Washington. They passed the Senate on the 19th; and quick to act under them, Mr. Tyler arrived in Washington on the 23rd. He was fortunate enough to find Major Anderson's truce still pending, Col. Hayne having been dissuaded by the Southern senators, in view of the action of Virginia, from presenting at once the letter he carried from Governor Pickens to the President, demanding the surrender of the Fort at Charleston. What Mr. Tyler did on his arrival, and how he was received by Mr. Buchanan, is minutely told in his report to Governor Letcher, made on his return to his home in Virginia:

Immediately after reaching Washington I addressed a note (marked No. 1) to the President of the United States, informing him of my arrival, and asking an early hour be designated by him to enable me to place him in possession of the wishes and feelings of the Legislature of Virginia, and the instruc-

tions which, in the form of her legislative resolves, all having direct reference to the disturbed and painful condition of public affairs, I was desirous of laying before him. He responded promptly by note, and left it optional with myself to select eight o'clock of that evening or an earlier hour the next morning for the time of the proposed conference. My note (No. 2), for reasons therein set forth, informed him that I would wait upon him in the morning of the ensuing day. My note announcing my arrival, if the objects which had brought me to Washington had any consideration in the mind of the President, would, I did not doubt, suspend any hostile movement against any seceding State in the interval of time between its date and the hour at which I should wait upon him the next morning, and supersede the necessity of a night visit.

On the next morning, at the hour of ten, I repaired to the President's mansion, and met from him a warm and cordial reception. I lost no time in handing to him your letter of appointment, attested by the seal of the State and legislative resolutions. He said they were the first full copies of the resolutions which he had seen, and after reading them, he remarked, that he considered them very important, and was good enough to add that, being borne by myself, he should feel it his duty to make them the subject of a special message to Congress. Either I suggested, or he voluntarily remarked, most probably the latter, that he should accompany them with a strong recommendation to Congress, with whom, he said, rested the entire power over the subject of war or peace, to abstain from all action of a hostile character until Virginia should have had a fair opportunity to exert all her efforts to preserve the public peace and restore harmony to the Union. I said to him that my mission was to him; that he was commander-in-chief of the army and navy; could regulate the movements of soldiers and ships, in peace and in war; and that what every Virginian desired was that the *status quo* should be observed. I represented to him that the people of Virginia were almost universally inclined to peace and reconciliation; that I need not inform him of the sacrifices the State had made for the Union in its initiation, or of her instrumentality in the creation of the Constitution; that her efforts to reconstruct or preserve depended for their success on her being permitted to conduct them undisturbed by outside collision. He replied that he had in no measure changed his views as presented in his annual message; that he could give no pledges; that it was his duty to enforce the laws; and the whole power rested with Congress. He complained that the South had not treated him properly; that they had made unnecessary demonstrations by seizing unprotected arsenals and forts, and thus perpetrating acts of useless bravado which had quite as well been let alone. I suggested to him that, while these things were, I admitted, calculated to fret and irritate the Northern mind, that he would see in them only the necessary results of popular excitement, which, after all, worked no mischief in the end, if harmony between the States was once more restored; that the States wherein the seizures had been made would account for all the public property; and that, in the meantime, the agency for its preservation was only changed. He repeated his sense of the obligation which rested upon him; could give no pledges but those contained

in his public acts, and recurred again to the proceedings of the Legislature, and his intention to send them to Congress in a special message, accompanied with a strong recommendation to avoid the passage of any hostile legislation. I asked if I might be permitted to see the sketch of the message, to which he unhesitatingly replied that he would take pleasure in showing it to me next morning. Much more occurred in the course of our interview, which lasted for an hour and a half, all, however, relating exclusively to the above topics, and I left him entirely satisfied with the results of my interview. The President was frank, and entirely confiding in his language and whole manner. A moment's reflection satisfied me that, if the message contained the recommendation to Congress to abstain from hostile legislation, I was at liberty to infer a similar determination on his part of a state of quietude.

Friday, 25th.—I waited on him again the following morning, and he lost no time in reading me so much of the sketch of the proposed message as related to the recommendation to Congress. I suggested no change or alteration, believing it to be amply sufficient, and I became only anxious for its presentation to Congress. He said he should have it all prepared to be submitted to his Cabinet on that day, and would send it the next day.

Mr. Buchanan would give no pledges as to the *status quo*, but the fair inference from his conversation was that he had then no *present* intention of making a hostile move against Charleston, and discontinuing the truce of Major Anderson. On the other hand, Mr. Tyler could count upon the services of his co-commissioner, Judge Robertson, in preventing a hasty act on the part of South Carolina. One point alone alarmed him. The Government had determined secretly to reinforce Fort Pickens, in Florida, and the sailing of the *Brooklyn* at this time appeared as if intended against Fort Sumter. In his report Mr. Tyler says :

On the afternoon of the same day—Friday, 25th—I was waited upon by the Secretary of State and Attorney-General, who stated that they had called upon me, at the request of the President, to express his regret that, in consequence of the adjournment over to Monday, he would not be able to send in the message until Monday. While in conversation with these gentlemen, which chiefly turned on the condition of public affairs, I was startled by the receipt of a telegraphic dispatch from Judge Robertson, my co-commissioner, dated at Charleston, South Carolina, enquiring into the foundation of a rumor which had reached that place that the steamship *Brooklyn*, with troops, had sailed for the South from Norfolk. I immediately handed over the dispatch to the gentlemen with the suitable inquiries. The Attorney-General said, in substance, "You know, sir, that I am attached to the Law department, and not in the way of knowing anything about it." The Secretary of State said that he had heard and believed that the *Brooklyn* had sailed with some troops, but he did not know either when she sailed or to what point she was destined. I then said, "I hope that she has not received her orders since my arrival in

Washington." On this point the gentlemen could give me no information, but expressed no doubt but that the President would give me the information if requested. I excused myself to them, and, immediately withdrawing to the adjoining room, I addressed to the President note No. 3, which Mr. Stanton, the Attorney-General, kindly volunteered to bear in person and without loss of time to the President. In a short time afterwards Mr. Stanton returned to inform me that he had carried the note to the President's house, but for a reason not necessary here to state, he could not see the President, but had placed it in the hands of his servant, to be delivered at the earliest opportunity. The reply of the President, No. 2, reached me at half-past eleven o'clock that night. In the interim I had dispatched by telegraph to Judge Robertson the information I had collected, and upon the opening of the telegraph office the next morning (Saturday) the material parts of the President's reply, relating to the sailing of the *Brooklyn*, viz.: that she had gone on an errand of "mercy and relief," and that she was not destined to South Carolina. The orders for the sailing of the ship, as will be seen, were issued before I reached Washington.

The adjournment of Congress over from Friday until Monday prevented the reading of the President's message as expected on Saturday. What Mr. Tyler thought on that day is thus recorded in a letter to Hon. Wyndham Robertson, a leading member of the Virginia Legislature, and brother of Mr. Tyler's co-commissioner:

[TO HON. WYNDHAM ROBERTSON.]

BROWN'S HOTEL, WASHINGTON, Jan. 26, 1861.

MY DEAR SIR: Your letter was duly received, and I thank you for the enclosure. We will talk it over at another time. I have not found it necessary to call in the aid of New Jersey. I resolved to await the results of my first interview with the President before I did so, and that satisfied me that it could all be arranged without the intervention of a third party, and after a manner the most acceptable to me, as it implied a high compliment to the Legislature. He will on Monday send in a special message, communicating to Congress the resolutions, making them the basis of an emphatic recommendation for abstaining from the passage of any measure of a hostile character by that body. The inference, of course, is plain, that what he recommends Congress to do he will do himself. His policy obviously is to throw all responsibility off of his shoulders.

I shall consider myself at full liberty to return home after the message goes in, unless dispatches from the Judge, or something transpiring here, shall require a prolongation of my stay. If the weather is mild I may reach Richmond by the Monday night train.

The sailing of the *Brooklyn* startled me much, but the President assures me that the orders for her sailing were dispatched *before* I reached here,—that she is not destined for Charleston, but goes on an errand of mercy and relief. She certainly has troops on board, and I doubt not is designed for Pensacola,

the troops for Fort Pickens. Mr. Clay, of Alabama, thinks that there will be no collision until after the 10th February, when the cotton States meet in convention at Montgomery.

I write in haste, but am always most truly your friend, JOHN TYLER.

Mr. Buchanan's message, recommending Congress to abstain from hostile measures, as Virginia requested, was read in the Senate on Monday morning, January 28, 1861. Mr. Tyler was present, and "listened to its reading with pleasure." But the news that reached him in the morning papers that the guns at Fortress Monroe had been turned *inland* upon the very bosom of Virginia while engaged in her peaceful and patriotic measures was ominous of the reception which the recommendations of Virginia would receive from the Federal Congress, now controlled by the Republicans. President Buchanan acted the part of the gentleman, but Congress that of the blackguard; for neither House deigned to vote to refer the respectful and patriotic resolutions of her General Assembly to a committee, or even treated them with the ordinary courtesy of ordering them to be printed. With brutal indifference they were permitted to lie upon the table unnoticed.

Mr. Tyler, in his parting note to the President, called his attention to the rumors concerning Fortress Monroe. President Buchanan disclaimed any knowledge of the truth of it, and promised to make it a point of enquiry; but no steps appear ever to have been taken to remedy the incongruous spectacle. The following were the parting notes exchanged between Mr. Tyler and the President:

[MR. TYLER TO THE PRESIDENT.]

BROWN'S HOTEL, *January 28, 1861.*

MY DEAR SIR: I leave the city to-morrow morning for the brief interval that elapses between this and the meeting of the commissioners on the 4th of February. In making my adieu, which I should do in person but for engagements which prevent, I desire to express my pleasure at hearing your message read to-day in the Senate, and to tender my acknowledgments for the facilities you afforded me of acquitting myself of the mission with which my State entrusted me. I feel but one regret in all that has occurred, and that is the sailing of the *Brooklyn* under orders issued before my arrival in this city. I hope, however, she sailed with such instructions as, if followed, will prevent any collision. There is nothing I more sincerely desire than that your administration may close amidst the rejoicings of a great people at the consummation of the work of a renewed and more harmonious confederacy.

Will you pardon me for calling your attention to the rumors current in the newspapers of the morning, which state that active proceedings are in course of execution at Fortress Monroe, in planting cannon on the land side of the fort, with their muzzles pointing landward and overlooking the country? If this be so, Mr. President, is such a proceeding either appropriate or well-timed? I shall do no more than call your attention to the circumstance, and leave it without comment, with this single remark, that when Virginia is making every possible effort to redeem and save the Union, it is seemingly ungenerous to have cannon levelled at her bosom.

With my most cordial wishes for your success in steering the ship of State amid the critical relations of the country, I am, my dear sir, truly and faithfully yours,

JOHN TYLER.

The President of the United States.

[THE PRESIDENT TO MR. TYLER.]

WASHINGTON, *January 28, 1861.*

MY DEAR SIR: I have received your note of this evening, and am happy to learn that you were pleased at hearing my message read to-day in the Senate. It expresses my sincere and cordial sentiments. My best wishes attend you on your journey home, and for your safe return to this city on the 4th February. I shall then hope to see more of you.

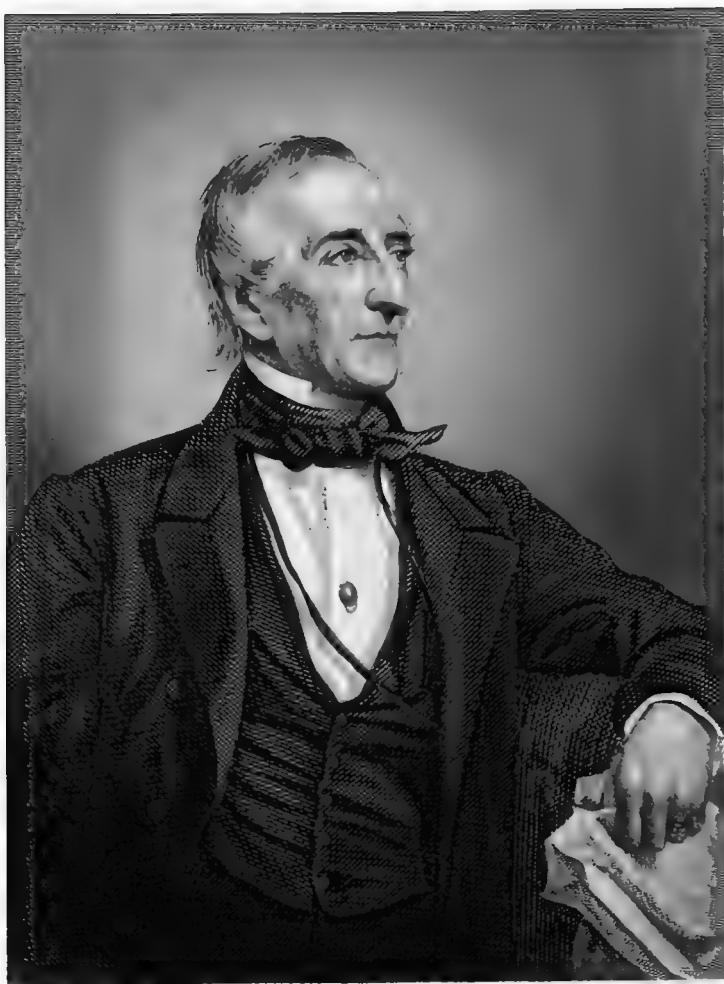
I shall make it a point to enquire to-morrow morning into the rumors in the newspapers to which you referred in relation to Fortress Monroe.

Yours, very respectfully,

JAMES BUCHANAN.

His Excellency John Tyler.

Thus ended Mr. Tyler's mission to the President. The President would give no pledges, but it could be seen that nothing would be done by him to disturb the existing state of things, and the indifference of Congress indicated that they were equally averse to a precipitate course. Mr. Tyler, therefore, returned home, feeling fully satisfied that his endeavors had secured for some time to come the continuance of the public peace.



W. John Tyler

CHAPTER XX.

1861.

"In referring to him, too, I should be false to my own feelings not to testify how admirably throughout, both as Commissioner and President of the Conference, he exhibited the highest qualities of the Virginian, the statesman, and the patriot. He was *facile princeps*, the noblest Roman of them all—retaining, to aid all the ripe experience of past distinguished service and the matured wisdom of age, the ardor, vivacity and force of his youthful vigor"—*Speech of JAMES A. SEDDON, at the African Church, Richmond, Va., March 5, 1861.*

PEACE CONVENTION.—CLAIM OF THE REPUBLICAN PARTY AS "UNION-LOVERS."—THE LEADING REPUBLICAN FACTION AT FIRST AGAINST COERCION.—MR. TYLER ATTENDS ON THE PEACE CONVENTION.—LETTER OF MRS. TYLER.—PERMANENT ORGANIZATION OF THE PEACE CONVENTION EFFECTED.—MR. TYLER'S ADDRESS AS PRESIDENT OF THE BODY.—THE CRITTENDEN RESOLUTIONS.—POLICY OF THE REPUBLICAN PARTY.—PROJECT OF THE PEACE CONVENTION.—ITS AMBIGUITY.—MR. TYLER'S AMENDMENT.—THE PROJECT OF THE CONVENTION IN CONGRESS.—REMARKABLE LETTERS TO THE GOVERNOR OF MICHIGAN.—THE "STIFF-BACKED" MEN.—COL. HAYNE AND PRESIDENT BUCHANAN.—INTERVENTION OF MR. TYLER TO PRESERVE THE PEACE.—HIS NOTES TO THE PRESIDENT.—THE CONFEDERATE STATES ORGANIZE THEIR GOVERNMENT AT MONTGOMERY.—MR. TYLER RECOMMENDS THE SENDING OF SPECIAL COMMISSIONERS.—TROOPS AT THE CAPITAL.—PROTEST OF MR. TYLER.—MR. TYLER EXCHANGES VISITS WITH MR. LINCOLN.—HE DESPAIRS OF AN ADJUSTMENT.

MR. TYLER remained but a few days at Sherwood Forest, to which he returned after his mission to President Buchanan. His presence was almost immediately demanded in Washington, to attend upon the Peace Convention.

Nothing is clearer from the history of the times, both public and private, than that the Peace Convention was to the Republican party the most objectionable of all the peace measures preceding the war. This party, since the war, have made the best of the North's subjugation of the South to boast of themselves as "Union-lovers." Of course, there is not a word of substantial truth in this claim. The *impulse* of their action was given by the Abolitionists, who, over and over again, resolved that the primary object of the abolition agitation was the "dissolution of the American Union." The *manner* of their action was directed according to

the devious methods of confirmed "spoils-hunters" and adventurers, once distinguished under the names of "anti-Masons," "*Loco-focos*," and "Know-nothings." *To rule* was all the Republicans cared for; and it made very little difference to them whether they ruled a section of the Union or the whole. Of course, there were in the ranks a large number of patriotic, if erring, men. I speak merely of those who led the party at *this* time.

Mr. Lincoln and Mr. Seward had both announced the doctrine that the Union could not endure "half slave and half free." But this by no means implied that the Republican party would employ arms in case of State secession with a view to the abolition of slavery. It, in fact, implied just the opposite. Indeed, the platform adopted at Chicago, by the convention which nominated Mr. Lincoln, contained a plank guaranteeing to each State "the right to order and control its own domestic institutions according to its own judgment." This declaration, so repugnant to the tendencies of the party and the dogma of the "irrepressible conflict," could only mean, in the absence of the disposition to favor a compromise with the South, that they would not look with disfavor upon an attempt at severance,—nay, that they would do all in their power to forward its peaceful consummation. The establishment of the Southern States upon a foreign basis would enable them to reconcile their principles with their public platform. I repeat it, the great wish of the Republican leaders was to *rule*. The adherence of the South constantly threatened their ascendancy; and if there is any fact well established in history, it is that the ruling faction in the Republican ranks, up to the first week in April, 1861, was in favor of letting the "wayward sisters depart in peace."

It is not surprising, therefore, that in the very midst of the process of national disintegration Mr. Lincoln should say, before the governor and General Assembly of Ohio, that he saw nothing going wrong—"nothing that really hurts anybody." "We entertain," said he, "different views upon political questions, but *nobody is suffering anything*." At that moment trade was ruined, and the country was writhing in suspense and agony. Seward, in his speech in the Senate on the 12th of January, 1861, said that "he did not know what the Union would be worth, if saved by the

use of the sword." Mr. Hale distinctly expressed himself in the Senate in favor of separation. Mr. Horace Greeley, the editor of the *New York Tribune*, the leading Republican paper from a period before the election of Mr. Lincoln, and until after his inauguration, opposed coercion of every kind. So with most of the other Republican leaders; they either expressed themselves against all coercion, or kept a studied inertness upon the question. In spite of the recommendations made by President Buchanan, who was consistent to the end in his determination to enforce the laws, they passed not a single law during his term giving him the means of enforcement. At the same time they stubbornly opposed every measure tending to a restoration of the Union. Even long after they had begun war,—forced to it under influences which I shall presently explain,—this expectation of a final separation, leaving South and North each to enjoy its own power, continued until the tide of success changed from the North to the South. It was briefly, but clearly, expressed by Mr. Cameron, some time Mr. Lincoln's Secretary of War, in 1863, when the war was far in its second year; General Cameron then said: "This ends it. I will be senator, and there is no doubt the Southern States will gain their independence, and I will have more power than any other man in the State."¹

Now this "stiff-backed" lust of domination, of ruling for the mere sake of "spoils," without any regard for the Union, or to the real well-being of the slaves in the Southern States, was especially evident in the action of the Republican representatives in the Peace Convention called by the State of Virginia at the suggestion of Mr. Tyler. To the last they stubbornly refused all compromises, and had nothing to offer but empty declamations about the "Union," which could not prejudice their position, whether the case should be in the end to let the South go, or to coerce them into submission.

It was on the 3rd of February, 1861, that Mr. Tyler arrived in Washington as a delegate of the Peace Convention which was to assemble next day. He was accompanied by Mrs. Tyler and two of her children. In the evening of the same day Mrs. Tyler wrote the following to her mother, residing on Staten Island, in New York:

¹ See chapter on "Preparations for Disunion."—*Ingersoll's Fears for Democracy*, pp. 204–215.

BROWN'S HOTEL, WASHINGTON, D. C., *Feb. 3, 1861.*

I hasten to write you this evening of my arrival, with the President, Alex., baby and Fanny. . . . I had several reasons for coming, apart from such enjoyments as you think I shall be disappointed in finding. To be on hand at such a trying and exciting time to the President, and observe and listen to the doings of the convention, which has for me the most intense interest. Perhaps I am here during the last days of the Republic. Everything in the political world is calculated to interest me, and I do not expect or desire gay entertainments under such circumstances as exist. A note has just been handed in to a dinner at Douglas' on Tuesday. I don't know that we shall accept. I was really in hopes to find you here on our arrival, and am really sorry to have hoped in vain. I sent this evening to enquire for a box at the express office, but it is not open to-day. I must send in the morning; peradventure you may have forwarded one.

The President has been surrounded with visitors from the moment he could appear to them, after refreshing himself with clean linen, etc. All the Virginia delegation, and a number of others, have just left, and he has retired upon a dose of *hydrargum*, quite tired out with the fatigues of the day; but he is in a stronger condition to bear up than for many a day, and looks well. They are all looking to him in the settlement of the vexed question. His superiority over everybody else is felt and admitted by all.

It would interest you to see how deferentially they gather around him. They will make him president of the Convention, I presume, from what I hear; but whether he will accept or not, is a question which his feelings at the time will determine. All of the South or border States will enter upon the deliberations with very little expectation of saving the Union, I think—there seems such a fixed determination to do mischief on the part of the Black Republicans. General Scott's absurd and high-handed course here in Washington is very much condemned. The rumor to-day is afloat that he is collecting there troops to overawe Virginia and Maryland. If the President concludes so, upon observation, I think he will recommend the Governor of Virginia to send five thousand troops at once to Alexandria to stand on the defensive side, and overawe General Scott's menacing attitude; but this is *entre nous*, and a "State secret."

We are very handsomely accommodated here—private parlors, etc. I left the children at home well, and, as you may suppose, everybody charged concerning them. Maria and Mrs. Clopton will keep a constant look-out and watch.

The President's centre-table is loaded with correspondence from every quarter. There seems to be a general looking to him by those anxious to save the Union. I wish it might be possible for him to succeed in overcoming all obstacles. They all say, if through him it cannot be accomplished, it could not be through any one else. Mr. Rives remarked this evening that it was admitted his influence in the country at this time is in advance of all others. Mr. Barringer, of North Carolina, said to me to-day in the cars: "President Tyler has had the great happiness accorded him of living to see himself fully appreciated. All party feelings have faded away, and his old enemies are among his warmest friends."

I could tell you of many interesting incidents, but I should never get to the end of them on paper. I wonder if I shall meet Mr. Seward, and how I shall be able to treat him. He approached the President in the Senate Chamber to shake hands, but it was done with a timidity he could not disguise. You have seen before this the published account of the President's mission to the President. Good night. Write to me here.

At twelve o'clock on the morning of the 4th of February the commissioners from the several States to the Peace Convention assembled at Willard's Hotel in the city of Washington. The Convention was called to order by Governor Morehead, of Kentucky, who proposed the name of J. C. Wright, of Ohio, as temporary chairman. The roll of the States was called. Eleven were found represented, which number afterwards swelled to twenty-one. After the appointment of a committee on rules and organization, the convention adjourned to meet the same hour the next day.

On the evening of the 4th Mrs. Tyler once more wrote to her mother :

[MRS. TYLER TO MRS. GARDINER.]

BROWN'S HOTEL, *February 4, 1861.*

MY DEAR MAMMA: I hastily write you a few lines before retiring. The box by express came safely to hand this morning. If I have occasion I will wear the articles mentioned in it, but I cannot say yet what will occur to make it worth while to bring them into use. I have had, as well as the President, a perfect *levée* all day, and am so tired that I must go to bed to be in good condition for a continuation to-morrow. You ought to hear all the compliments that are *heaped* upon me. Of course I haven't changed a *bit*, except to improve, etc., etc.

But the President is the great centre of attraction. Everybody says he is looked to to save the Union. Mr. Crittenden told me to-night that he had great hopes through him. Gov. Morehead went off in a strain of eloquence, while in conversation with me, upon the immortality he would achieve for himself if he (the President) could bring all the discordant elements together. They met to-day, but only to appoint committees for the organization of the convention, and then adjourned.

The President has received a most important dispatch this evening from Montgomery, Ala. The convention there has adjourned over to await the action and result of *this* meeting. This shows a desire to conciliate and do what is right up to the last moment.

Mr. Crittenden tells me that Mrs. Crittenden is laid up with a sprained ankle. Mrs. Yulee and Mrs. Evans have been with me this evening,—also many others whom you would not know,—and our old friend *Mr. Greenway* has turned up again. Mrs. Yulee tells me her sister, Mrs. Merrick, has also met with the fashionable accident of a sprained ankle. Mrs. Clay, of Alabama, described to me the withdrawing scene in the Senate to-day of the

Louisiana senators. She says Mr. Benjamin's speech was perfectly *thrilling*,—full of feeling and eloquence. . . . How I wish you were here, but I suppose I must make up my mind to be satisfied with your coming to Sherwood.

In haste. Good night. With love to all.

The President is quite bright, bearing up wonderfully and *looking* remarkably well.

On the 5th the permanent organization of the convention was effected. Mr. Wickliffe reported, from the committee on organization, a recommendation that the president of the convention be John Tyler, of Virginia, and its secretary Crafts J. Wright, of Ohio, which was agreed to unanimously.

Mr. Tyler was then escorted to the chair by Mr. Ewing, of Ohio, his former Secretary of the Treasury in the Bank war of 1841, and Mr. Meredith, of Pennsylvania. Upon taking his seat, he proceeded to address the convention as follows:

GENTLEMEN: I fear you have committed a great error in appointing me to the honorable position you have assigned me. A long separation from all deliberative bodies has rendered the rules of their proceedings unfamiliar to me, while I should find in my own state of health, variable and fickle as it is, sufficient reason to decline the honor of being your presiding officer; but, in times like these, one has but little option left him; personal considerations should weigh but lightly in the balance. The country is in danger; it is enough; one must take the place assigned him in the great work of reconciliation and adjustment.

The voice of Virginia has invited her co-States to meet her in council. In the initiation of this government that same voice was heard and complied with, and the results of seventy odd years have fully attested the wisdom of the decisions then adopted. Is the urgency of her call now less great than it was then? Our god-like fathers created—we have to preserve. They built up, through their wisdom and patriotism, monuments which have *eternized* their names. You have before you, gentlemen, a task equally grand, equally sublime, quite as full of glory and immortality. You have to snatch from ruin a great and glorious confederation, to preserve the government, and to renew and invigorate the Constitution. If you reach the height of this great occasion, your children's children will rise up and call you blessed. I confess myself to be ambitious of sharing in the glory of accomplishing this grand and magnificent result. To have our names enrolled in the Capitol, to be repeated by future generations with grateful applause,—this is an honor higher than the mountains, more enduring than monumental alabaster. Yes, Virginia's voice, as in the olden time, has been heard. Her sister States meet her this day at the council board. Vermont is here, bringing with her the memories of the past, and reviving, in the memories of all, her Ethan Allen and his demand

for the surrender of Ticonderoga in the name of the Great Jehovah and the American Congress. New Hampshire is here—her fame illustrated by memorable annals, and still more lately as the birthplace of him who won for himself the name of Defender of the Constitution, and who wrote that letter to John Taylor which has been enshrined in the hearts of his countrymen. Massachusetts is not here.—(some member said, “She is coming.”) I hope so, said Mr. Tyler, and that she will bring with her her daughter, Maine. I did not believe it could well be that the voice which, in other times, was so familiar to her ears, had been addressed to her in vain. Connecticut is here, and she comes, I doubt not, in the spirit of Roger Sherman, whose name with our very children has become a household word, and who was in life the embodiment of that sound practical sense which befits the great lawgivers and constructors of governments. Rhode Island, the land of Roger Williams, is here, one of the two last States in her jealousy of the public liberty to give in her adhesion to the Constitution, and among the earliest to hasten to its rescue. The great Empire State of New York, represented thus far but by one delegate, is expected daily in fuller force to join in the great work of healing the discontents of the times, and restoring the reign of fraternal feeling. New Jersey is also here, with the memories of the past covering her all over. Trenton and Princeton live immortal in story, the plains of the last encrimsoned with the heart’s blood of Virginia’s sons. Among her delegation I rejoice to recognize a gallant son of a signer of the immortal Declaration which announced to the world that thirteen provinces had become thirteen independent and sovereign States. And here, too, is Delaware, the land of the Bayards and the Rodneys, whose soil at Brandywine was moistened by the blood of Virginia’s youthful Monroe. Here is Maryland, whose massive columns wheeled into line with those of Virginia in the contest for glory, and whose State House at Annapolis was the theatre of a spectacle of a successful commander, who, after liberating his country, gladly ungirted his sword and laid it down upon the altar of that country. Then comes Pennsylvania, rich in revolutionary lore, bringing with her the deathless names of Franklin and Morris, and I trust ready to renew from the belfry of Independence Hall the chimes of the old bell which announced freedom and independence in former days. All hail to North Carolina! with her Mecklenburg declaration in her hand, standing erect on the ground of her own probity and firmness in the cause of public liberty, and represented in her attributes by her Macon, and in this assembly by her distinguished son, at no great distance from me. Four daughters of Virginia also cluster around the council board on the invitation of their ancient mother,—the eldest, Kentucky, whose sons, under the intrepid warrior, Anthony Wayne, gave freedom of settlement to the territory of her sister, Ohio. She extends her hand daily and hourly across La Belle Rivière to grasp the hand of some one of kindred blood of the noble States of Indiana and Illinois and Ohio, who have grown up into powerful States, already grand, potent and almost imperial. Tennessee is not here, but is coming—prevented from being here only by the floods which have swollen her rivers. When she arrives she will wear the badges on her warrior crest of victories won, in company with the great West, on many an en-

sanguined plain, and standards torn from the hands of the conquerors at Waterloo. Missouri, and Iowa, and Michigan, Wisconsin and Minnesota still linger behind, but it may be hoped that their hearts are with us in the great work we have to do. The eyes of the whole country are turned to this hall and to this assembly in expectation and hope. I trust, gentlemen, that you may prove yourselves worthy of the great occasion. Our ancestors probably committed a blunder in not having fixed upon every fifth decade for a call of a general convention to amend and reform the Constitution. On the contrary, they have made the difficulties next to insurmountable to accomplish amendments to an instrument which was perfect for five millions of people, but not wholly so as to thirty millions. Your patriotism will surmount the difficulties, however great, if you will but accomplish one triumph in advance, and that is triumph over *party*. What is party when compared to the task of rescuing one's country from danger? Do that, and one long, loud shout of joy and gladness will resound throughout the land.

This speech, so able and generous in its utterances, was worthy of Virginia, and worthy of Mr. Tyler, who was called at this hour to act the part of Washington in a convention representing ten times the interests that that of 1787 represented. That his duties there were undertaken in as pure a spirit as that of his great countryman can be as little doubted. In his speech in the Virginia State convention, surrounded by Virginians, Mr. Tyler said:

What could have carried me to Washington but the debt of gratitude which I felt I owed my State and my fellow-countrymen, and the deep solicitude which I experienced in this hour of the nation's peril? I confess to an additional motive of a personal character. If ever there lived a man ambitious of winning that true glory which can alone arise from the fulfilment of the whole duty of a patriot—that man now addresses you. I aspired to the glory of aiding to settle this controversy. I had worn the honors of office through each grade to the highest. I had been surrounded by the echoes of applause in the course of my journey through life; but to encircle my brow, Mr. President, with the wreath to be won by the restoration of this Union in all its plenitude, perfect as it was before the severance, would have been to me the proud crowning act of my life. That was the feeling that inspired my heart. You saw my address upon taking the chair of the convention. Mr. President, I can speak of it without vanity and without impropriety. You all saw it. Did it please you? Was it of a character to draw around Virginia the sympathies of her co-States? That was my sole object in uttering it.

The Peace Convention was no ordinary body. The Border States were especially ably represented in the persons of some of the most experienced statesmen in the Union. Besides Ewing, Wickliffe, and Morehead, and the Virginia delegation, there were James B. Clay, son of Henry Clay, James Guthrie, Commodore

R. F. Stockton, Frederick T. Frelinghuysen, and many other gentlemen of eminent abilities. The Republicans were represented chiefly by *new men*—men born in the excitement of the slavery agitation, and with their hearts so contracted by hate of the South as to be incapable of any view beyond the barren horizon of the fanatic or the zealot. Even the fiercest party men, like Francis Granger, once so extreme in his denunciations of Mr. Tyler, but who now represented in the convention the moderate sentiment of New York, was a bright contrast to these devotees whose zeal to rule after the most sordid and tyrannical manner met its severest condemnation in the fact that they had compelled the South to rally on the subject of slavery, the least defensible of its interests, since the principle involved in the struggle appertained to every other interest of Southern life, and, indeed, was identified with the character and manhood of the South, which compelled it to resent a foreign dictation, from whatever quarter it might come. It will take something more than the blustering of Republican writers ever to convince mankind that Virginians, who had given more evidences, until 1833, of their sympathy with the rights of mankind than any other people, were naturally more depraved than the Northern people after that period.

The Virginia Legislature had planted itself upon the proposition of Mr. Crittenden, of Kentucky, a party zealot during Mr. Tyler's administration, and now so outstripped by the new school of Northern politicians as to be regarded as a sort of an apostle of peace, specially sent to clip the wings of those doctrines of nationalism which had once found in him so warm a supporter. Mr. Crittenden's proposition was first moved in the Senate on the 18th of December, 1860. It embraced several provisions relating to slavery, intended to be added as an amendment to the Constitution. The first and most important of these proposed to recognize the existence of slavery in all the territory, "now held or hereafter acquired," lying south of the thirty-sixth degree thirty minutes. This provision gained nothing to the South beyond the express recognition of the relation of master and slave in the Constitution of the land. It was in fact a concession to the North from the South; for the Supreme Court of the United States, under their oaths as judges to construe the law, had recently solemnly decided in the *Dred Scott* case that the Missouri Com-

promise was unconstitutional, and that, as the fifth amendment to the Constitution itself guaranteed the "property" of every man, he had a right to carry his slaves into *any* part of the territorial domain. This decision was all the more obligatory on the North, since, in respect to the tariff of 1828, which rested on grounds not a whit more moral than slavery did in the South, without any excuse of an inherited fact, the North had referred to the Supreme Court as the final arbiter of questions, when that very court, as they knew, was precluded, from the nature of a tariff bill, from ever passing on the constitutionality of duties in the interest of protection, which were juridically intangible and concealed. If the provision of Mr. Crittenden carried along with it an express recognition of slavery, there was also the emphatic dedication of the territory above the thirty-sixth degree thirty minutes forever to freedom. But even with the recognition of slavery below that line, it was of no practical value to the South, except to soothe its sensitiveness as to the general principle involved, of the rule of any unrestricted majority instead of one of checks and balances as the Fathers intended, since the territory below the thirty-sixth degree thirty minutes was unfit for the institution of slavery, and nature precluded its establishment.

Mr. Crittenden's other resolutions went to guarantee matters whose constitutional right and expediency no one questioned except the *ultras*. Congress was not to abolish slavery in places, under the exclusive jurisdiction of the United States, within States which permitted slavery, nor to abolish slavery within the District of Columbia, without, as was maintained by Mr. Tyler's report in 1836, the consent of Maryland and Virginia, and consent obtained and just compensation first made to the owners of the slaves, nor interdict the transportation of slaves from one slave State to another. That if the owner of a slave should be forcibly prevented from procuring his recovery under the fugitive slave-act, the United States should be liable for his value, though with a remedy against the county in which the rescue might occur. In addition to the clauses thus stated in substance, there was one prohibiting the foreign slave-trade power, a declaration that the fugitive slave law ought to be faithfully executed, and a recommendation to the States to repeal their Personal Liberty Acts.

It has been said that no other public measure ever received a

more earnest and eager demand from the population of the United States than did Mr. Crittenden's proposition. In principle it granted nothing to the South but what was recognized by the legal authorities of the country. In substance it neither extended nor promoted slavery. It did place the word *slave* in the Constitution, not there before, and call things by their right names; but it was either manly to do this or fair to tell the South that the North wished to have nothing more to do with them. It was adding hypocrisy to crime to protect slavery, knowing it to be immoral, and yet to hide the fact from the world.

In the committee of thirteen, to which Mr. Crittenden's resolutions had been referred in the Senate, every senator of the cotton States, including Mr. Davis and Mr. Toombs, had expressed their readiness to accept them if tendered and sustained in good faith by the Republican members. But this the Republicans declined to do. Their game was one of delay. They neither patriotically adopted the measure nor manfully rejected it, but ingloriously pursued the plan of postponing a vote upon it until the last day of the session, when they were at length compelled to show their hands. In the Peace Convention the same general policy was kept up. In the discussions in the committee to which the resolutions of the General Assembly of Virginia were referred, the majority part of the Republicans refused all measures of compromise, but pressed the importance of Congress recommending to the States to call a national convention to sit in judgment on the subjects in dispute between the States. But this suggestion, which appears to have had its paternity with Mr. Seward, who, on the 28th of February, 1861, proposed it in the Senate in lieu of the Peace Conference propositions, bore on its face an indication of the deepest insincerity, if indeed it was not indicative of the purpose which is known to have had the upper hand at the time in the party, of letting the Southern States go in peace, while it temporized with the Union elements of the North. Of the two modes prescribed in the Constitution for obtaining amendments, this was the least eligible at the existing crisis, because by far the most dilatory. Congress had the power to submit definitive measures to the States, and the tardy machinery of a national convention presumed the existence for an indefinite length of time of the government established at Montgomery.

The committee of the Peace Convention, which was to report on the 8th of February, were thus prevented from doing so until the 15th. Every argument was used by the members from the Border States to impress upon the Republicans the importance of a conciliatory spirit; and at length some of them, whose patriotic feelings could not be entirely suppressed by party, yielded to the solemn calls of the hour, and united in an attempt at compromise. But even now they could not divest themselves of all their fetters, so that when at length Mr. Guthrie, chairman of the committee, reported the propositions of Mr. Crittenden, they were so stripped of their spirit as to be a mere mockery of their former selves. It can scarce be questioned that, had the Border States been alone represented, as Mr. Tyler had contemplated in the beginning, the Crittenden propositions, in their essential provisions, would have been unanimously adopted by the convention. Once adopted, they would have been a shield to the South against coercion, or the means of a restoration to the Union of the cotton States. As it was, the propositions of the committee were aptly compared by Mr. Tyler, in the State convention, to the picture of Hamlet's guilty father-in-law, "the counterfeit presentment" of two minds. In the Crittenden propositions the language was plain and clear; in the report of the committee everything was wrapped up and disguised. It would be a waste of paper to examine all the discrepancies. One point alone will suffice.

The first and most important section of the Crittenden propositions provided that in all the present territory south of that line of thirty-six degrees thirty minutes, slavery of the African race should be recognized as existing during the Territorial state. In the report of the committee, and as afterwards modified into the plan of the Peace Conference, it was provided that "in all the present territory, south of the line mentioned, the *status* of persons held to service or labor, as it now exists, shall not be changed." The extreme Republicans, who wanted no compromise, deserved at least the credit of speaking out on this. A proposition was made to insert before the word "*status*" the word "*legal*." Then Mr. Salmon P. Chase, who in the agitations that followed got as far as Chief-Justice, observed, with a candor that did him honor, that it was unimportant whether the amendment was adopted or not,—the question would still arise, what does

status mean? "And then he declared," said Mr. Tyler, "that the whole interpretation of the section was that it was the *status* fixed by the Mexican law of emancipation, which had been proclaimed by the Mexican government years before the acquisition of the western territory by the United States, and he maintained that the law of New Mexico was the *status* of free soil." "I thanked him for his explanation afterwards. I went to him and said: 'You have, at all events, established your character as an honest and frank man!'"¹

Mr. Tyler, as president of the meeting, mingled, of course, to no great extent in the debate, though in his private intercourse with the members his best endeavors were exerted to bring them into some sort of an agreement or guaranty sufficient to bring back the seceded States. No man could doubt *his* patriotism or *his* motives, since all his past honors were connected with "Union," and the highest endorsement of his life would be to restore it to its old integrity. But Mr. Tyler was no dreamer. He was conciliatory, but he *never* had been a nose of wax. His letter on public affairs represented the views of an intelligent man. The destiny of Virginia was with the South. Her interest was there, and her sympathies also. The Virginia Legislature had long ago recognized, by a unanimous vote of both Houses, that such was the truth.² The Peace Convention, in Mr. Tyler's view of it, was "an effort to restore the Union, not to enter into a sort of bargain embracing the Border States,—not merely to enter into a covenant with those who had brought about the dissolution, nor yet to consult the interests of Virginia exclusively in any arrangement which might be made,—but to bring back the cotton States, and thereby to restore the Constitution and the Union of the States,"³ as perfectly as after the days of nullification in 1833.

It was with this purpose that Mr. Tyler introduced the follow-

¹ Speech of Mr. Tyler in the Virginia Convention, March 13, 1861.

² Adopted January 21, 1861: "*Resolved*, by the General Assembly of Virginia, that, if all efforts to reconcile the unhappy differences existing between the two sections of the country shall prove to be abortive, then, in the opinion of the General Assembly, every consideration of honor and interest demands that Virginia shall unite her destiny with the slaveholding States of the South."—*Acts of Assembly*, 1861, p. 337.

³ Mr. Tyler's speech in the State Convention, March 13, 1861.

ing amendment to the first section of the report of the committee of the Peace Convention :

“All appointments to office in the Territories lying north of the line thirty-six degrees thirty minutes, as well before as after the establishment of Territorial governments in and over the same, or any part thereof, shall be made upon the recommendation of a majority of the senators representing at the time the non-slaveholding States. And in like manner, all appointments to office in the Territories which may lie south of said line of thirty-six degrees thirty minutes shall be made upon the recommendation of a majority of the senators representing at the time the slave-holding States. But nothing in this article shall be construed to restrain the President of the United States from removing, for actual incompetency or misdemeanor in office, any person thus appointed, and appointing a temporary agent, to be continued in office until the majority of senators as aforesaid may present a new recommendation, or from filling any vacancy which may occur during the recess of the Senate, such appointment to continue *ad interim*. And to ensure, on the part of the senators, the selection of the most trustworthy agents, it is hereby directed that all the net proceeds arising from the sale of the public lands shall be distributed annually among the several States, according to the combined ratio of representation and taxation ; but the distribution aforesaid may be suspended by Congress in case of actual war with a foreign nation, or imminent peril thereof.”

By the courtesy of the Convention the ten minutes rule was suspended, and Mr. Tyler's own time was allowed him, to take what range and latitude of debate he might deem necessary.

The principle of this amendment was afterwards strangely confounded with Mr. Calhoun's idea of a dual executive. It more nearly resembled the guaranty recommended by Virginia in 1788, on the adoption of the Federal Constitution, of a two-thirds vote in Congress on commercial questions. Mr. Calhoun's idea advocated absolute equality between unequal sections ; the amendment of Mr. Tyler was merely protective in its character. His views upon its first part, as expressed in the Peace Convention, were that it would restrict the patronage of the executive, already too large of itself, and would restrain agitation by securing men in office who would have the sympathy of the people. On the latter provision of distributing the proceeds of sales of the public lands he expressed the views of his senatorial career ; that it would produce fairness in the distributions of money annually made in aid of public works, and secure greater honesty in the returns. Speaking of this amendment in the convention of the State on March 13, Mr. Tyler said :

I stated in that assembly (the Peace Convention) a fact which it is not out of place to repeat here, that sixteen years ago, when I left the government, we had reduced the public expenditures from thirty-two millions to twenty-four millions per annum. And yet we in no degree impaired the efficiency of the public service, but had added to our naval defense the home squadron; had enlarged the basis of our military operations; had increased the strength and the efficiency of the army, and manned our fortifications, and all at the low rate of expenditure mentioned. Within this short period of sixteen years which has since elapsed, we find these expenditures swollen up to 60, 70, 80,000,000—I know not what, in fact.¹ I cannot account for this vast expenditure. Nor does the evil stop with the expenditures from the Treasury. The public lands, that great source of public credit in times of embarrassment, are spoliated on with a merciless prodigality—land-grants, homestead bills and railroad donations, all combined, seem to threaten an extinction of all public interest in the preservation of this great inheritance. It was time, I thought, to interpose with that great remedial measure of distributing the proceeds of the public lands equally among the States, according to the ratio of representation and taxation. But furthermore, in the division of territory there had been given to the Northern States fully four-fifths of the territory of the United States. The remaining fifth being on our side of the line, I sought to equalize, to some extent, the division, by making each State a participant in the proceeds of the sales of the whole of the lands.

But above all, Mr. President, I desired to restrain that wild spirit of propagandism which I knew would inevitably influence those who would be appointed to offices in the Territory under the new administration. I knew that the man who was in the presidential office would appoint his own friends to office. It was natural that Mr. Lincoln should do so, and I took for granted that the Chicago platform would be the constitution of every man of them. I regarded the rejection of this proposition as a vital objection to that first section, and my friend near me (Mr. Summers), and the whole delegation from Virginia, came up as one man and voted for it. They gave me their cordial support, and yet what vote do you suppose we obtained for it? Plain, rational, just as it seemed to be and really was—what sort of vote do you suppose we got for it? There were five States voting for it, and all the rest against it! It would not do to restrain Mr. Lincoln in the giving of his patronage; they wanted to give him full sway. I was told by some, we will vote for your proposition in 1865, but we cannot vote for it now. Yes, sir, they would vote for it after the mischief will have been done—after the propagandists shall have accomplished their purposes. The Chicago platform will then have received its practical interpretation, and been carried into full effect. I repeat, that my colleagues came up to the spirit of the proposition which I offered, and Virginia was a unit in favor of it; and I would now have it incorporated in any *project* that may be offered to this convention.

But enough! There was no unity in the convention on any subject. Mr. Tyler, together with Mr. James A. Seddon and Judge

¹ What would Mr. Tyler say, if he were living, as to the expenses of this day?

Brockenbrough, of the Virginia delegation, voted against the chief propositions of the committee as they came up, and only Mr. Rives and Mr. Summers could be induced to approve them. The first section was finally passed, on a reconsideration, by a majority of one in a minority of the States, after it had been defeated by a majority of eleven to eight. Mr. Tyler gave the propositions as passed his official approval, and on the 27th of February transmitted them to Congress. Here they were opposed by Mason and Hunter, the senators from Virginia, but favored by Mr. Crittenden. The Virginians, however, opposed them on principle; not so the Republicans, who showed to them the same discourtesy as they had shown to Mr. Crittenden's resolutions, and postponed their consideration as far as lay in their power. They were not brought to a vote in the Senate until the 2nd of March, when they were very *naturally* rejected by a majority of twenty-eight to seven. The vote then recurred upon Mr. Crittenden's own resolutions. Mr. Mason and Mr. Hunter voted for them, but they were very *unnaturally* rejected by a majority of twenty to nineteen.

In the House of Representatives the amendment proposed by the Peace Convention was treated with still less respect than it had been in the Senate. However faulty they may have been from either the Northern or Southern standpoint, they were certainly entitled, as coming from so dignified a body, to a courteous reception. But this the highly moral and proper Republicans would not give them. The Speaker himself was refused leave to present them. No vote was had, and no copy of them appears on the Journal of the House. Congress adjourned on the 4th of March, having deliberately refused all compromise, and yet declining any strengthening of the arm of the executive.

The policy of the Republican party at this time, I repeat, was one of acquiescence in the secession of the Southern States. Seward was far-seeing enough to know that the issue of a war with the South was precarious, and a failure to win in the attempt at subjugation would overthrow his party at the North. On the other hand, a further union of the South and North under the old relations was repugnant to his party declarations, and imperilled also the tenure of his rule. Being bent on *rule*, therefore, beyond every other consideration, he considered it best to adopt the peace policy. But there are factions in all parties, and in the Republican party there was a clique who were pressing a

high tariff, and saw ruin to their material interests in the separation of the South. These men could not reconcile themselves to Seward's views, and got up a fierce contest against him. The Peace Convention was especially objectionable to these conspirators; and, bent against all adjustment, they made it their "cue" to render its deliberations a failure. The spirit of these manipulators of the wires, who were in the end to gain the ascendancy over Seward and to precipitate the country into a sanguinary war, was well manifested in the tone of two of their letters addressed to the Governor of Michigan, and which got into the papers and were read in the Senate on the day Mr. Tyler submitted to it the propositions agreed upon by a bare majority of the Peace Convention. In these letters the Governor was besought by the senators of Michigan,¹ "at the instance of *Massachusetts* and New York, for God's sake to come to the rescue, and save the Republican party from rupture." "I hope," said one of the amiable and patriotic writers, "you will send *stiff-backed* men, or none," expressing it as his own opinion in a post-script that, "though some of the manufacturing States think that a fight would be awful, without a little blood-letting this Union would not be worth a rush."²

After all, Massachusetts did not differ from herself in the convention of 1787, when, in return for a control over the commercial laws of the Union, and a continuance of the profits in the foreign slave-trade, she had urged and approved the article of the Constitution permitting its continuance for twenty years, notwithstanding the horrors of the middle passage. True, she had excused herself then because, as she avowed, Georgia and South Carolina had blustered about rejecting the Union if their wish was not granted, and equally true that, though Georgia and South Carolina now entirely concurred with her as to the immorality of the slave-trade, and wanted nothing more than abstract guaranties in a Union overwhelmingly Northern, she never once advanced the old apology for compromise. Still her spirit seemed the same, since to consent to come into a peace convention with a view to break it up was not surpassed in shame by her course seventy-four years before. And at this very time her representatives in

¹ Michigan was not represented in the Convention.

² Z. Chandler to Gov. Blair."—*Chittenden's Peace Convention*, pp. 48 '9.

Congress were pressing into law a *tariff bill* which operates this day on a country that had no representation when it passed. If the South sinned through slavery, the North sinned worse in robbing.

We now go back to President Buchanan and his charge—Fort Sumter—which we left in a very critical relation to the peace of the country. The intervention of Virginia by her commissioners in South Carolina and at Washington had confirmed for the time the truce first entered into between Major Anderson and Governor Pickens, after the firing on the *Star of the West*. When Colonel Hayne, on the 31st of January, 1861, delivered his letter to the President, demanding the surrender of Fort Sumter, thanks to Mr. Tyler especially, all danger of a collision had passed. On the 6th of February the President, through Mr. Holt, the Secretary of War, rejected the *ultimatum* thus presented by South Carolina, declaring that if the Fort was regarded in the light of property, he had no power to sell it, and if as a fortress, he was bound to retain it, and, if necessary, to reinforce its garrison. The vital importance of the fortress to South Carolina seems to have impressed Colonel Hayne with a feeling of such resentment to the government, that he returned an answer directly to the President, which Mr. Buchanan regarded as so foreign to what was due to his office and person that he declined to receive it, and sent it back to Colonel Hayne.

Mr. Tyler had returned to Washington on the 3rd of February, to attend the sessions of the Peace Convention. Three days after, Mr. Holt's letter was received by Colonel Hayne, who became much excited, and considered it highly insulting in its character. Fearful that Governor Pickens, under his influence, might do something calculated to disturb the peace, Mr. Tyler, with his wife, promptly called on the President, to pay his respects and avail himself of the opportunity to act the part of peace-maker. Mr. Buchanan disclaimed any intention to insult Colonel Hayne, and authorized Mr. Tyler to telegraph the fact at once to the Governor of South Carolina. And, according to the President, Mr. Tyler, on being informed of the character of Colonel Hayne's communication, observed that "such a letter was highly improper addressed to the head of a government."¹

Mr. Tyler then urged upon Mr. Buchanan the propriety of

¹ Curtis' Buchanan, ii., 468.

withdrawing the troops from Fort Sumter, whose garrison amounted to the contemptible number of only seventy-eight men all told. To keep them there imperilled the results of the Peace Convention. Any hour might bring a collision, and the Border States be precipitated into secession. If it was a question of honor with Mr. Buchanan, he could pledge the faith of South Carolina that the Fort would be as safe under the care of a guard of a half dozen men as under that of seventy-eight. That the South Carolinians, in spite of the Northern bluster that denounced them as rebels in arms thirsting for blood, were bent on peace; and that it was their apprehension that the Fort would be made a focus of military coercion that made them regard it with an apprehensive eye. "I urged the impossibility of sending relief. I saw no chance for a successful defense. I represented to him, in the mildest terms I could, the condition of that noble boy (Major Anderson). I adverted to the state of the garrison; that there were only seventy odd people to man the guns; that after all his vaunting about the strength of the Fort, there were no more than enough soldiers to man six guns, and the ability would fail even to man them after a few days' conflict. Why not, then, relieve and discharge the garrison? They are ready to perish in defense of their duty—why let them perish?"¹

The reply of Mr. Buchanan was consistent with his previously expressed resolves. He would not withdraw a man from the Fort, although he could not deny that both Congress and himself had submitted to the capture of the other forts and public property in the seceded States. Mr. Tyler afterwards addressed the President a note urging the same policy; but Mr. Buchanan, relying on advices from Major Anderson himself, that he could hold the Fort indefinitely with the forces he then had, had great ideas of the strength of Sumter, and remained stubborn to the last. To us at this date the assurances of Major Anderson appear as extraordinary as they did to Mr. Tyler; and Mr. Buchanan could not complain of Mr. Tyler for referring, in the Virginia State convention, to his confidence as a "vaunt," when only eight days before this speech as quoted above, Anderson himself confessed

¹ Speech of Mr. Tyler in the State Convention. See also *Curtis' Buchanan*, ii., 468. A letter of Dr. John R. Page, who heard from Mr. Tyler an account of this interview, lies also before me.

that "he would not be willing to risk his reputation on an attempt to throw reinforcements into Charleston harbor, and with a view of holding possession of the same, with a force of less than twenty-thousand good and well-disciplined men."

Mr. Tyler, on leaving the President at this interview, promptly communicated by telegraph with Governor Pickens. And what he learned he communicated to the President on the following evening:

[MR. TYLER TO THE PRESIDENT.]

MY DEAR SIR: I communicated to Governor Pickens what passed between us as to Mr. Holt's letter, and I am happy to say that the reply, received a moment ago, leaves me no ground to fear any early disturbance. The whole subject is referred to the convention at Montgomery, as I plainly infer. The conclusion is in these words: "Everything which can be done consistently with the honor and safety of this State, to avoid collision and bloodshed, has been and will be the purpose of the authorities here."

Thus, my dear sir, the inquietude you expressed may be dismissed.

Very truly and faithfully yours,

JOHN TYLER.

On the 13th Mrs. Tyler wrote to her mother on Staten Island as follows:

[MRS. TYLER TO MRS. GARDINER.]

BROWN'S HOTEL, WASHINGTON, *February 13, 1861.*

I have a moment to myself just before tea, and I may have time to write you in haste something of the doings here. Since I last wrote, I have not been allowed a moment's leisure. When within the hotel it has been an incessant stream of company, and then I have had visits to return, the Capitol to visit, etc., etc. Last night I attended, with the President, the party of Senator Douglas, and I met in the throng my old friend, Mrs. Dixon, who, by the way, looked so well that the President thought her the handsomest person in the room. She had early called, but I was out, as was the case with her when I called. She was, of course, charmed to meet me again. We are all the time surrounded, and had greetings from old, and introductions to new acquaintances without number. People turned up, and recalled themselves to me that I certainly never expected to have met again. I saw and shook hands with two Messrs. Griswold. Mr. Bancroft (the historian) claimed relationship with me through the Chandlers, who married a Miss Gardiner, of Gardiner's Island. I paraded the rooms with the handsomest man here, Governor Morehead, of Kentucky—one of the best likenesses of Papa you ever saw in appearance, voice, laugh, and manner. I suppose I may conclude that I looked quite well. No attempts at entertainments have succeeded before, I was told, this winter, and to the hopes that are placed upon the efforts of this Peace Convention is to be attributed the success of this.

People are catching at straws as a relief to their pressing anxieties, and look to the Peace Commissioners, as if they possessed some divine power to restore order and harmony. Here you can realize more than anywhere else the distracted state of the country. In the Peace Conference a committee are engaged (one from each State) in the preparation of a plan of adjustment, and when they report, which will be on Friday, the end I suppose can be foreseen. In the meantime all is suspense, from the President down. The New York and Massachusetts delegation will no doubt perform all the mischief they can; and it may be, will defeat this patriotic effort at pacification. But whether it succeeds or not, Virginia will have sustained her reputation, and in the latter event will retire with dignity from the field to join without loss of time her more Southern sisters; the rest of the slave Border States will follow her lead, and very likely she will be able to draw off, which would be glorious, a couple of Northern States. It is to be hoped that this state of suspense, which is bringing disaster to trade everywhere, will soon be removed in one way or another.

The President has hundreds of letters of the enclosed description, which I enclose you because it is from Mr. Beeckman's son-in-law.

Mr. Buchanan (the President) spent the evening in our parlor evening before last. I suppose it is the first visit he has paid since being the nation's chief. He first wrote the President a letter full of gratitude for the relief he had afforded him in probably preventing, through his influence at Charleston, the attack on Fort Sumter. Miss Lane and Miss Ellis called upon me yesterday. If the President is detained here indefinitely, I shall run home. I want to be with my children. Probably I shall go on Friday, unless I hear from home in the meantime to my satisfaction. Old Mrs. Hilliard, of Troy, called upon me this morning; she spoke of Miss Mary Gardiner, of Gardiner's Island, having been at her school. Mrs. Catron is quite sick; but I must conclude. I have so much to say of persons and events, and no time to say it in. . . . With love to all.

Mr. Tyler's intervention between the belligerent parties was again put into requisition a few days later. A copy of a telegram reached the President, said to have been forwarded from Governor Pickens, through Augusta, to President Davis at Montgomery, that the Governor was urging an immediate attack on Fort Sumter. President Buchanan in alarm wrote to Mr. Tyler to ascertain the truth of the report. Mr. Tyler replied promptly:

[MR. TYLER TO THE PRESIDENT.]

TUESDAY, *February 19, 1861.*

MY DEAR SIR: I do not believe a word of it. My last dispatch from Judge Robertson is wholly different. I am at the moment so engaged that I cannot hasten to you. I will as soon as I can.

Respectfully your friend,

JOHN TYLER.

WEDNESDAY, *February 20, 1861.*

MY DEAR SIR: I dispatched the telegram at about five o'clock. No answer yet. Perhaps it was referred to Montgomery, or time may not have been given to respond before the close of the office. A consultation of cabinet may have been required. In short, many things of a similar nature may have occurred. General Davis will be written to to-day. No attack can be made without orders from Montgomery.

Yours truly,

JOHN TYLER.

TWO O'CLOCK P. M., *February 20, 1861.*

MY DEAR SIR: I have this moment received a telegram from Charleston. The Governor says: "Received your message; know nothing about the report you spoke of; no one is authorized to speak for me; things must stand without any movement in force." I would send the dispatch, but the latter part of it relates to another matter.

Truly and sincerely your friend,

JOHN TYLER.

The seceding States had at this time organized a provisional government at Washington, under the name of the Confederate States. Mr. Davis had assumed the office of president, and his inaugural address was delivered on the 18th of February. Mr. Tyler continued successfully his role of intervention, and it was at his advice, as plainly appears from the following letter to President Buchanan, that the expedient was taken by Mr. Davis of sending commissioners to Washington to treat with the government concerning the status of the Confederate States as an independent republic:

[MR. TYLER TO THE PRESIDENT.]

BROWN'S HOTEL, *February 24, 1861.*

MY DEAR SIR: I think you may rely upon tranquillity at the South. Since you left me I have made particular inquiries. General Davis has been written to. He is advised to send a commissioner, and to go to Charleston himself to represent and quiet all things. In fact, from information from one directly from Richmond, and who travelled with merchants from the South going North, the probability is that he is now in Charleston. The fact may probably be announced in the papers to-morrow. Every one that I have seen, secessionists and others, concur with myself in the improbability of any movement until a commissioner shall come on here, and a failure in the mission.

Truly and faithfully yours,

JOHN TYLER.

In the very hour that the Peace Convention, composed of honorable men from the Border States of the Union, were uniting their efforts at peace, the incongruous spectacle was seen of the

assembling of Federal troops in the city to provide for the inauguration of Mr. Lincoln under the ominous shadow of their guns. There is plenty of evidence to show that Mr. Buchanan and his advisers did not present that calm and intrepid appearance which Mr. Curtis ascribes to them. But neither were they weak or incompetent, as their enemies shamelessly denounce them to have been. Take him all in all, Mr. Buchanan was decidedly the most gentlemanly, competent, efficient, and collected officer that, had anything to do with the government from the secession of South Carolina to the firing on Fort Sumter. But his act of assembling of troops in fear of hidden assassins and conspiracy did indeed, as his own Secretary of War confessed, constitute an "epoch in history."¹ It appeared a reflection on all the States by which the District of Columbia was surrounded, and on the Peace Convention in particular. Hearing that these troops were to take part in the parade on Washington's birthday, Mr. Tyler deemed it in no respect out of the way to address a note to Mr. Buchanan, questioning in a courteous and gentlemanly manner, and protesting against, the expediency of thus parading armed bodies of men in the face of the convention over which he presided. Mr. Buchanan replied excusing and justifying the act. And though Mr. Branch, of North Carolina, offered a resolution in the House condemning this quartering of troops as the capital, there they remained until after the inauguration of Lincoln.

It was on the 23rd of February, the day succeeding Washington's birthday, that Mr. Lincoln made his secret journey to Washington. On the evening of that day Mr. Tyler called upon him, and introduced the several members of the Peace Convention. His comments at each introduction amused as much as they startled the sober delegates, who had heard of Mr. Lincoln's jests, but had never seen him.²

A few days after Mr. Lincoln returned Mr. Tyler's visit at his hotel. At that time the thoughts of both were on peace,—Mr.

¹ Holt's letter to President Buchanan, *Curtis' Buchanan*, ii., page 493.

² When Mr. Tyler introduced William C. Rives, Mr. Lincoln, who had heard much of the veteran statesman, said: "You are not as *tall* as I thought you were, Mr. Rives." Mr. Rives, surprised, walked on, and as another delegate stepped up in his turn, Mr. Lincoln made the *amende honorable* by calling after Mr. Rives in an elevated tone: "But, sir, I have heard you are *tall* in intellect."

Lincoln on letting the South go, and Mr. Tyler, having given up all hopes of a settlement, and believing the fate of Virginia hung on every hour of the day, upon uniting her government as quickly as possible with that at Montgomery, thus drawing into secession all the Border slave-States, and perhaps New Jersey, so that, before the "Northern heart could be fired," an array of power would confront the administration sufficient to incline and force the Northern people to a reconstruction of the Union as in 1787.

On the 28th of February, after the adjournment of the Peace Convention, Mr. Tyler stood on the steps of the Exchange Hotel, in Richmond, and told the people what he had done to preserve the Union; he informed them that he was now confident no arrangement could be made, that every hour's delay was perilous, and that nothing remained but to act promptly and boldly in the exercise of the State sovereignty.

The people had looked upon the Convention as a *dernier resort*; but when, in addition, the news spread abroad that the Republican representatives in Congress had passed an avowedly protective tariff, destined in the following years to receive an extension "*unexampled by the most unenlightened nations*,"¹ thus, as it were, in Samuel Taylor Coleridge's words, "taxing every person in Devonshire for the pecuniary benefit of every person in Yorkshire," the cause of secession became established on the everlasting foundation of the principle of the American Revolution, that no State or people should be taxed without their consent.

"Then glided out of the sombre woods the wraiths" of those whom Virginians had been taught to love and revere: of Washington, warning, "Was it not always believed that there are some points which peculiarly interest the Eastern States? And did any one who reads human nature, and more especially the character of the Eastern people, conceive that they would not pursue them steadily by a combination of their force? Are there not other points which equally concern the Southern States? If these States are less tenacious of their interests, or if, while the Eastern move in a solid phalanx to effect their views, the Southern are always

¹ "The country once more embarked on the protective policy, which received an extension in the following years unexampled save by the most *unenlightened nations* on earth."—*History of American Currency*, p. 190, by W. G. Sumner, Professor of Political and Social Science in Yale College, Connecticut.

divided—which of the two is most to be blamed?"¹—of Henry, the forest-born Demosthenes, clamoring: "This government subjects everything to the Northern majority. We have put unbounded power over our property in hands not having a common interest with us. How can the Southern members prevent the adoption of the most oppressive mode of taxation, as there is a majority in favor of the Northern States? This is a picture full of horror and wretchedness;"²—of the youthful and elegant Grayson, educated at Oxford and the Middle Temple, and cut off in the prime of his genius: "I believe it as I do my creed, that this government will operate as a faction to oppress the rest of the Union;"³—of Benjamin Harrison: "I call Heaven to witness that I am a friend to the Union;"⁴ "but if the Constitution is carried into effect, the States south of the Potomac will be little more than appendages to those northward of it;"⁵—and of the elder Tyler: "BY THE GREAT GOD OF HEAVEN, I HAD RATHER NOT EXIST AS A MAN OR NATION THAN TO SUFFER SUCH VIOLATIONS OF THE RIGHTS AND LIBERTY OF OUR CITIZENS."⁶

¹ Washington to David Stuart, March 28, 1790.

² Elliott's Debates, iii., p. 382.

³ Ibid., p. 228.

⁴ Ibid., p. 628.

⁵ Sparks, ix., p. 266.

⁶ Vol. i., p. 212.

CHAPTER XXI.

1861.

"*What, then, would become of my tariff?*"—PRESIDENT LINCOLN to Col. Baldwin.

"The country once more embarked on the protective policy, which received an extension in the following years *unexampled save by the most unenlightened nations on earth.*"—PROF. W. G. SUMNER, *History of American Currency*, p. 190.

STATE CONVENTION.—MR. TYLER ELECTED A MEMBER BY "OLD-LINE WHIGS."—MEETING OF THE CONVENTION.—PARTIES IN IT.—MR. TYLER TAKES HIS SEAT.—FAVORS AN ENERGETIC POLICY.—DEBATE WITH MR. SUMMERS ON THE PROJECT OF THE PEACE CONVENTION.—EXTRACTS FROM HIS SPEECH.—PEACE CONVENTION PROPOSITIONS REJECTED BY THE CONVENTION.—LETTER OF MR. TYLER.—DILATORY COURSE OF THE CONVENTION.—MR. TYLER'S LETTER TO COL. GARDINER.—RESOLUTIONS OF MR. PRESTON.—COMMISSIONERS APPOINTED TO VISIT MR. LINCOLN.—POLICY OF THE REPUBLICANS REVIEWED.—LINCOLN IN FAVOR OF SEPARATION.—EVIDENCE OF GOV. MOREHEAD.—DUPLICITY OF SEWARD.—THE CONFEDERATE COMMISSIONERS.—THE "STIFF-BACKED" MEN SEIZE THE GOVERNMENT.—INTERVIEW OF COL. BALDWIN WITH THE PRESIDENT.—THE TARIFF DETERMINES THE WAR.—MR. LINCOLN AND THE DELEGATES FROM THE VIRGINIA CONVENTION.—BOMBARDMENT OF FORT SUMTER AND MR. LINCOLN'S PROCLAMATION.—THE CONVENTION GOES INTO SECRET SESSION.—MR. TYLER'S LETTER ON THE EVE OF SECESSION.—ORDINANCE OF SECESSION PASSES.—MR. TYLER'S LETTER TO HIS WIFE.—EXPEDITIONS TO SEIZE THE NAVY YARD AT NORFOLK AND THE ARSENAL AT HARPER'S FERRY.—MR. TYLER NEGOTIATES A TEMPORARY UNION OF THE STATE WITH THE CONFEDERATE STATES.—MR. TYLER'S LETTER TO MRS. GARDINER.—ROBERT TYLER ARRIVES.—A SKETCH OF HIM.—LETTERS OF MRS. TYLER.

MR. TYLER left the Peace Convention to take the seat to which he had been elected, in the Convention of the State, during his absence on his mission to President Buchanan. His district consisted of the three counties of James City, Charles City and New Kent,—counties which, in years not remote, had gone heavily against the policy of Mr. Tyler. It is a criticism annihilating against the believers in the "slave-power" theory that the wealthy slave-holders of Virginia were all Whigs, and had voted against Texas, and were now the strong "Union men" of Virginia. The Democracy, among whom were to be found the

most ardent advocates of secession, were chiefly non-slave-holders, entrenched in the populous counties. It may be well to say also, that some of these Whigs opposed Texas in 1844, on the party ground, among others, that its annexation would enfeeble the institution of slavery in Virginia by drawing off the slaves, and were against secession because they considered their property in slaves much safer within the Union under the reiterated disclaimers to which the conservative elements of the North and the alternative of secession had driven the Republicans. Thus Mr. Baldwin, who was the ablest and most eloquent "Union man" in the convention, and who was crowned by a number of Northern ladies (including Mrs. Charles Francis Adams, who was then in Richmond,) for denouncing secession, made himself out a perfect fanatic on the slavery question, using its safety as a chief reason why Virginia should not leave the Union.¹

The voters in Mr. Tyler's district were, as he observes, "five to one" old line Whigs; and while it would be doing them an injustice to say that they were infected to any great extent with the fanaticism of Baldwin, yet they more or less agreed with him as to the safety of slavery within the Union. The Whigs selected Mr. Tyler, a Democrat, as their representative, first, because *they* best of all knew the uprightness of his character and his tried ability and sagacity, while, at the same time, they recognized the conservatism of his views in behalf of the Union as a guaranty that he would protect their interests against the machinations of the bad men that find their way everywhere.

The meeting of the people of the district to select representatives to the convention was held at "Windsor Shades," in the county of New Kent, January 22, 1861. Captain John S. Lacy was elected president, and Isaac H. Christian secretary of the meeting. Mr. Tyler's name was put in nomination, as was also that of a prominent Whig in Charles City. Out of the seventy-six delegates present all but eleven cast their suffrages for ex-President

¹. . . . "I have always entertained the opinion that African slavery is a right and good thing, on every ground—moral, social, religious, political and economical; a blessing alike to the master and the slave, a blessing to the non-slaveholder and the slaveholder. I entertain these views and opinions now. Sir, I am not one of those who look forward with expectation or desire to its extinction at any time or any place."—*Speech of Mr. Baldwin, Richmond Enquirer.*

Tyler, though the vote of James City, which was imperfectly represented, was cast against him.¹

I. H. Christian, of Charles City, spoke at length, and defined the position of Mr. Tyler. He assured the convention "that there was no man in the country more ardently attached to the Union, or more anxious to preserve it in its integrity, than was ex-President Tyler; yet there was none more thoroughly aroused to a sense of the wrongs which had been inflicted on his section, who would guard more watchfully or more certainly defend the honor and interests of Virginia. He read from the published card of Mr. Tyler, showing that he would have Virginia make every effort in his power to effect a reconciliation, and establish the government on such a basis as would ensure its future peace and prosperity. This failing, he would have her to act promptly in her sovereign capacity. He warmly eulogized the character and ability of the distinguished gentleman, and believed, from the general expression of opinion in his own county, and from conversation with gentlemen this morning from all parts of the district, that there was scarcely an element of opposition to his nomination."

John P. Pierce, of New Kent, said that "he hoped party feeling would not enter the convention; that the time had arrived when party bias should be thrown aside, when gentlemen would esteem it a privilege to obtain the services of the distinguished person whose name was before them. The convention about to assemble was the most important Virginia ever held, and should be composed of men whose talents should command respect and influence in the country."

R. L. Henley,² of James City, protested against the action of the majority of his delegation, and believed that "they were misrepresenting the people of James City. He claimed to know something of the feelings of the James City people on this subject. They had been canvassing the question for several days, and he had heard but one sentiment as to who would be their choice. Sir, they are *clamorous* for the nomination of ex-President Tyler."

To the account of the proceedings as published in the *Enquirer*

¹ Out of forty from New Kent, thirty-seven voted for Mr. Tyler; out of thirty from Charles City, twenty-six; and out of six from James City, two.—*Richmond Enquirer*, January 31, 1861.

² Now Judge of the Eighth Judicial Circuit of Virginia.

this commentary was appended, signed by the president and secretary of the meeting:

It will be interesting to know that a large majority of those constituting the convention were gentlemen who have differed with Mr. Tyler in politics.

Immediately on the adjournment of the convention, the members, resolving themselves into a mass-meeting, adopted the following, offered by Col. T. A. Lacy:

Resolved, That this meeting cordially endorse the plan of settlement offered by Hon. John J. Crittenden, and look with a hope to his resolutions as the instrument through which peace may be restored to the country.

I. H. Christian, Secretary.

J. S. LACY, President.

The convention of Virginia met in Richmond on the 13th of February. A large return had been made to it of men opposed to secession, except in the event of an attempted coercion on the part of the Federal government. Against this the Legislature in January had, as we have seen, unanimously taken stand. The convention consisted of one hundred and fifty-two members, and John Janney, of Loudoun county, had been chosen president. When the convention first met, the original secessionists were put down at not over twenty-five men.

Mr. Tyler took his seat in the convention on the 1st of March, 1861. To J. B. Jones, late editor of the *Madisonian*,¹ who saw him on the 12th of April, he appeared "even under the weight of so many years, unchanged in activity and energy of body and mind." Mr. Tyler showed that decision of character that had always characterized him. The leading feeling in the minds of the members, without exception, was unquestionably one of devotion to that Union which had been chiefly built up by the wisdom of their Fathers. But all these generous impulses Mr. Tyler had greater reason to feel than most men, since the very boundaries of the old Union on all sides attested the results of his labors. But Mr. Tyler knew the value of Sallust's remark "*Nam et priusquam incipias consulto et ubi consulueris mature facto opus est.*" The time for deliberation had passed; it was now the time to act. In respect to the superior allegiance due the State nearly all the members were of one mind. After the adjournment of the Peace Convention, there was in truth only one point before the conven-

¹ Jones had edited the *Southern Monitor* in New Jersey, and was a refugee therefrom. He kept during the war "A Rebel War Clerk's Diary"—(not free from defects.)

tion, and that was,—what course will best promote the safety of Virginia?

To the mind of Mr. Tyler that safety, after the failure of the Peace Convention, plainly required immediate secession. "*Virginia*," he said, "*is the bright star that fixes the attention of the country. Every eye is turned to her.*" All the Border States had answered the several commissioners from the seceded States that they would act as Virginia did. It was above all important that the State should wrest from the dangerous hands of the North the treasures at the Navy Yard at Gosport, consisting of its magnificent dry dock, huge ship-houses, shops, forges, ware-rooms, ropewalks, seasoned timber for ships, masts, cordage, ammunition and small arms; the various ships and frigates of utmost importance within her borders; as also to secure, if possible, the Fort at Old Point. If these seizures could be made without coming into open collision with the Federal authority, or rendered secure in case matters were pushed to extremities, Mr. Tyler believed that a most important point would be made in behalf of the South.

It may well be supposed that Mr. Tyler's accession to the Secession party in the convention, which hitherto had been led by Wise, Harvie, and Holcombe,¹ law professor at the University of Virginia, was of potent import. The attention of the whole convention was immediately directed to him and Mr. Summers, as representatives of the plan of adjustment recommended by the Peace Convention. The other three commissioners were not members of the convention.

Mr. Summers opened the debate in a very able speech on the 12th of March. Mr. Tyler began his reply on the 13th, and spoke parts of two days. His health at this time was precarious.

Many to this day remember the breathless excitement and eager interest that fell upon the crowded assembly of delegates and spectators in the hall of the Mechanics' Institute, when the venerable ex-President arose and opened his speech as follows:

¹ On the 19th of March Mr. Tyler wrote of this gentleman: "Mr. Holcombe has spoken to-day, and continues to-morrow. He has made a magnificent effort. His invective against Seward was one of the most terrible invectives I ever heard. The convention and galleries were greatly moved, and yet had nothing about it coarse or rude. He used a keen scimitar which cut asunder bone and marrow. His views correspond with my own, as so far developed. My speech has not yet been called for by the *Enquirer*. I find everywhere great anxiety to see it, and I think it will tell."

EX-PRESIDENT TYLER: I am about to make, Mr. President, a very bold and daring adventure. The condition of my health might very well justify me to this convention in withholding from it any remarks upon the interesting subjects which were discussed yesterday. But, sir, I am acting under an impulse of duty—an impulse which I always obey, and which I shall attempt to carry out on the present occasion.

Mr. President, an aged man who had retired from the pursuits of busy life, surrounded by those comforts which should most properly surround one whose life had been spent in the public service—with prattlers at his knee and a light illuminating his household for ever beaming around him—was startled from his quietude and repose by a voice which came from the legislative halls of his native State, admonishing him of danger to the country, and making a requisition for all of energy that still remained with him, either physically or mentally, in the effort to rescue that country from the imminent peril that threatened it. It was the voice of Virginia, appealing, sir, to a son, who, from the early morning of manhood, she had nurtured and petted, even as a fond mother does her first born infant. At the age of twenty-one, having scarcely put on the *toga virilis*, he entered the public service of the State, cheered on his way by the approving smiles of those who had elected him a member of the Legislature; and his presence there was greeted by his brother members with an almost affectionate cordiality. The pathway of his life was lighted up by gracious smiles which he was continually receiving. Without anything of the spirit of boastfulness, which would ill-become me, I might say that that aged man had sounded, in the language of Cardinal Wolsey, “all the shoals and depths of honor.” The highest public stations which the State of Virginia held in her gift she had conferred upon him.

When I left the government, sixteen years ago, sir, it had not entered into my contemplation that I should ever afterwards appear in a public assembly. I left that government prosperous and happy. The voice which startled me in my retirement told me of feud, and discontent, and discord; of a tearing in twain of that beautiful flag which had floated so triumphantly over us in the days that had gone by, which I had never looked upon but my heart had throbbed with an emotion it is impossible for me to give utterance to. The Father of his Country had left behind an admonition to his children to avoid sectional feuds, but those feuds had arisen and had progressed until they had culminated into disunion. I had seen their beginning, sir, thirty years before, when the dark cloud which now overspreads the hemisphere just rose above the horizon, no bigger than a man’s hand. It was the cloud of Abolitionism. Washington, looking to the probable contingency that has now arisen, warned us against sectionalism and sectional parties. With the tongue and the pen of an inspired prophet, he foretold what has befallen us. From the school-room where the youthful mind was impressed with doctrines in one section inimical to those of another; from the pulpit where tradition and abuse have been levelled at the very memories of the great dead who assisted to build up what was but yesterday a glorious government, desecrating the very altar itself, and pronouncing against us anathema and violent vituperation, bidding us “go forth from the communion table; you are miserable

slaveholders, and we cannot partake with you in the feast of peace and religion." Such the anathema. And when all is made ready—the masses excited and stirred up with an undefinable love of human liberty—the politician, regardless of his country, and intent only upon his own elevation, steps forth upon the stage to control those masses and lead them to the disastrous point of sectionalism and separation.

Where is that Union now which we once so much loved? Where its beautiful flag, which waved over a land of wealth, of grandeur, and of beauty? Wrong, abuse, contumely, unconstitutional acts, looking to a higher law than the Constitution, thus setting men free from their obligations to society, have cut the ship of state loose from her moorings; and here she is, drifting without helm or compass amid rocks and whirlpools, her fragments floating in every direction—one part has gone South, while other parts, moored for this moment, will probably at the next break loose from their insecure anchorage. I grieve over this state of things by day and by night. When I think of the manner in which all this has been brought about by a race of hungry, artful Catalines, who have misled the Northern mind solely for their own aggrandizement, my blood becomes so heated in my veins as to scald and burn them in its rapid flow.

I was told that in this hour of the country's danger my services were needed, and under the resolutions of the Legislature of Virginia, which I will very briefly advert to as containing my letter of instructions, I resolved, at peril to myself and at every possible personal inconvenience, to venture upon the task which my native State had imposed upon me. I have not felt myself at liberty to wander or depart from those instructions. One of them I will read:

"Whereas, it is the deliberate opinion of the General Assembly of Virginia that unless the unhappy controversy which now divides the States of this confederacy shall be satisfactorily adjusted, a permanent dissolution of the Union is inevitable, and the General Assembly, representing the wishes of the people of the Commonwealth, is desirous of employing every reasonable means to avert so dire a calamity, and determined to make a final effort to restore the Union and the Constitution in the spirit in which they were established by the fathers of the Republic."

An effort was to be made to restore the Union: not to enter into a sort of bargain, embracing only the Border States; not merely to enter into a covenant with those who have brought about this state of things through misleading the public mind of the North; nor yet to consult the interests of Virginia exclusively in any arrangement which might be made to restore the Constitution and the Union of the States; but to bring back, if possible, the cotton States, thereby to restore the Union to what it was; to have the glorious old flag floating over one and all; to make the name of an American citizen, which had won respect in every part of the world, again a word of passport and of honor, as it had been before.

What could have carried me to Washington but the debt of gratitude which I felt I owed my State and my fellow-countrymen, and the deep solicitude which I experienced in this hour of the nation's peril? I confess to an additional

motive of a personal character. If ever there lived a man ambitious of winning that true glory which can alone arise from the fulfilment of the whole duty of a patriot—that man now addresses you. I aspired to the glory of aiding to settle this controversy. I had worn the honors of office through each grade to the highest. I had been surrounded by the echoes of applause in the course of my journey through life; but to encircle my brow, Mr. President, with the wreath to be won by the restoration of this Union in all its plenitude, perfect as it was before the severance, would have been to me the proud crowning act of my life. That was the feeling that inspired my heart. You saw my address upon taking the chair of the Convention. Mr. President, I can speak of it without vanity and without impropriety. You all saw it. Did it please you? Was it of a character to draw around Virginia the sympathies of her co-States? That was my sole object in uttering it.

I had hoped, in the manner of consultation, and from the spirit evinced at the opening of the Conference, that we were likely to accomplish the great object that Virginia had in view. Massachusetts came up, and her daughter, Maine, along with her. We had all New England and all the Border States, until we reached Michigan. A voice could not be heard on the Pacific coast; it was uttered too late to reach California and Oregon in time—I wish, with all my heart, they had been there. New York soon joined us. But I found that many had come with no olive branch in their hands; nay, more, that with them the feeling of fraternity seemed to be gone. They had nothing to give—nothing to yield. The Constitution was enough for them. New York, with her potent voice, would not yield one iota—not an “i” dotted nor a “t” crossed. “The Constitution must be maintained; we have nothing more to grant.” Such was, in substance, her language.

Notwithstanding all these discouragements, we went to work, and no man ever had more faithful colleagues than myself. We worked together, and we tried every possible expedient to overrule this state of things. It was soon perfectly obvious that, without a close approach to unanimity on the part of the Convention, no measures originated by us would be of any avail. Here you have a measure passed by a minority of that Convention—a measure which was defeated by a majority the night before, but which was afterwards passed by a minority, upon a reconsideration the next day, of nine to eight. The majority which passed it being a minority of the States represented in the Convention; of what value and consequence, then, is it? . . .

Mr. Tyler had no difficulty in showing the illusive character of the plan recommended by the Peace Convention. It was idle to suppose that the cotton States would ever come back under the guaranties it contained; still idler to presume that three-fourths of the States could ever be gotten to adopt them. It was impossible for Virginia to stand still. “Revolutions never went backwards.” If the Convention would not adopt the measure of seces-

sion, at least insist upon the observance of the *status quo*. Not an additional man to garrison Fortress Monroe; not another to Fort Washington; not another at the city of Washington. Then report an *ultimatum* to the Federal government, and if not accepted in a reasonable time, let the State exercise the right that appertains to every member of a league of withdrawing from it on a willingness to accept the responsibility of war, whose injustice in this case was never more apparent:

Italy can rise up from the thralldom of centuries, and win the bright coronet of free government. The iron crown of Austria may be removed from the brow of its wearer to do honor to Hungary. But Mr. Lincoln recognizes no such principle as lying at the base of American institutions, as the right of the people of any of these States to seek their happiness under any other government than that inaugurated by himself, of a sectional majority. Hence the Pacific and Mediterranean fleets are, it is said, ordered home, to cluster about our coast! Hence, the whole border, stretching off to California, is to be left exposed to the attacks of the savages, by withdrawing from it the two thousand five hundred regular troops. Rumor speaks of a portion of these troops being stationed at Washington as a strategic point. If it be accurate, I shall regard it as "bearding the lion in his den, the Douglas in his hall." It looks like a strategic operation to coerce Virginia, and keep you under subjection and control. Virginia is the bright star that now fixes the attention of the country. Every eye is turned to her. I fear that the game is to hold Virginia in thralldom, if possible. If it can be done by the practice of chicanery and smiles, she will be kept in her present attitude of inaction. Depend upon it, all means will be resorted to to accomplish this object. Troops may be concentrated in considerable numbers at Fort Washington and Fortress Monroe. In that event what will be the condition of Alexandria and Richmond? Fort Washington upon the Potomac, garrisoned—and not a barrel of flour, not a hogshead of tobacco, no article of commerce, can float by without being under the range of its guns? If Fortress Monroe is to be garrisoned by five thousand men, as speculation has sometimes intimated, the trade of Richmond—that trade which floats down the James, the York, the Rappahannock, and the other rivers of the Commonwealth, is essentially blocked out from the ocean by a ship of war stationed in the Bay, to co-operate with the Fort. Look at it, I pray you, and let your action here anticipate, and as far as it can avail, guard against the state of things which may soon exist.

Mr. Tyler hoped that a resolution addressed to all the States, scouting all idea of acquiescence in coercion, would receive the immediate approval of all the Border States, and perhaps New Jersey and Pennsylvania. Thus fettered, Mr. Lincoln might be

compelled to admit a new Union, reconstructed on a basis favorable to the South.¹ He said :

Mr. President, my policy stretches still farther than to the slave-States. I want the government of the whole Union, sir ; and you can acquire it if you pursue a wise and determined course of policy. New Jersey will not stay an appendage to a Northern confederacy. You cannot fasten her to the North, and what is there to induce Pennsylvania to remain ? I have great hope of change in the politics of Pennsylvania. Sir, I heard a voice from New York last night. It was mellifluous, powerful, truthful. I know not whether the gentleman who uttered those sentiments be present in my hearing, the Hon. John Cochrane, of New York, (yes, said some one, he is present) if he is, let me tell him that his own great imperial city of New York cannot stay where she is. The South is her natural ally, and she must come with us.

And now what result may be anticipated ? I say to you here, play your part properly ; open your eyes and take a full expansive survey of all the circumstances that surround you. What will you have done if you get three or four of the free States and all the slave States to go with you ? What becomes of Mr. Lincoln's general government ? Why, you constitute a majority of the whole number of States ; and if a majority power means anything, it means that you are entitled to the sceptre and the crown. The Government becomes yours most decidedly.

Mr. Tyler concluded his speech, as follows :

Sir, you cannot do without the cotton States. It is idle to talk of it. You must have the cotton States, if they can on proper terms be brought back. If those States to-morrow were put up at market overt, and you invited to the place of bidding, the nations of the earth—Russia, wrapped up in her furs, would be there ; England with argosies freighted with treasure, would be there ; France would come with her imperial crown—and what price would be bid for them, it would puzzle arithmetic to determine. What would be the price to be paid down for them ? Would you count it by millions ? or would you go up to billions and trillions ? Why, look at it. The foundation of all the exchanges of the world, the clothing of the world, the commerce of the world, proceeds chiefly from them.

Go to the exchanges of the world, and you see that they are all regulated by cotton. Go to the North—why, the whole North is covered over with glittering gems through the cotton trade. And yet it is to be thrown away because of your conception that South Carolina has acted badly. The North will not give guaranties which cost nothing to reclaim a great treasure. Why cannot the free States, if they really design you no harm, give the ne-

¹ Mrs. Tyler wrote to her mother on the 19th of March, as follows : " Of course, as you well know, the President preferred Union, but not to the ruin and disgrace of the South. As matters now stand he thinks it will be the immediate advantage of both sections for the South to take a united stand. A number of the Northern States will come into the plan which he proposes, making a new Union, but on a firmer basis for the South." . . .

cessary guaranties to secure you? I fear that they desire disunion. Disunion is to them the high road to office; and I fear that many of our politicians would rather "rule in hell than serve in heaven." South Carolina was a glorious star in the firmament, and I want her to shine there again in all her brightness and glory. Who has forgotten her Marion, her Pickens, and her Sumter? Who has forgotten—even the boys at their schools have learned it—who has forgotten King's Mountain and its glory? Sir, I remember an incident connected with King's Mountain. When travelling in the railroad cars, I fell in with Mr. Bancroft, the historian. "I am just from King's Mountain," he said, "they have had a great celebration there, and I have been delighted beyond measure. I went over with William C. Preston; I accompanied him in his carriage upon that occasion. Stricken down as he was in the flower of his life, there was enough of intellect still to coruscate into jewels everything around him, magnificent in its splendor, brilliant in everything that related to him. There he was. They called upon him for a speech; and even there, amidst that decrepitude, broken down as he was by paralysis, a stranger at his home by the severance of his domestic ties, which he lamented and mourned over 'like a stricken deer,' he found his way to the heart of every human being who heard him." That was what Mr. Bancroft said.

Well, sir, you are going to throw up this. Gems so bright as your cotton interest you are going to discard. Whither are you going? You have to choose your association. Will you find it among the icebergs of the North or the cotton fields of the South? What will you gain by going North? Will you jeopardize for an association with the North your great interest arising under your domestic institutions? That interest is worth \$300,000,000. Decide upon association with the North, and you reduce it to two-thirds in value. Nor is that all—a still more evil day will befall you. Brennus may not yet be in the capital, but he will soon be there, and the sword will be thrown into the scale to weigh against our liberties, and there will be no Camillus to expel him.

Sir, I am done. I know that I have presented my views to you most feebly. I have presented them, however, with all the frankness with which one Virginian should talk to another upon this great occasion. You have much more wisdom than I possess. I look with fear and trembling, to some extent, at the condition of my country. But I do want to see Virginia united; I wish to see her carrying her head as she carried it in former times. The time was when she did not fear. I have entire confidence that her proud crest will yet be seen waving in that great procession of States that go up to the temple to make their vows to maintain their liberties, "peaceably if they can, forcibly if they must." Sir, I am done.

The convention was not prepared for secession, but it was to reject the Peace Conference propositions. On the motion of John S. Carlisle, of Harrison county, to amend the report of the committee on Federal Relations by striking out the whole report and inserting them in lieu thereof, the question was decided in the

negative,—yeas four, nays one hundred and sixteen.¹ It was at this time that Col. Baldwin was making his “Union speech.”

On the 24th Mr. Tyler wrote home as follows:

[To MRS. TYLER.]

Mr. Bruce has the floor for Monday. The Peace Conference plan has gone the way of all the Capulets. The committee makes it the basis of a new scheme, and Baldwin yesterday made an appeal to me to sustain it, as they had sought to make it conform to my views. I shall most probably present my own project. The public mind is undergoing great changes. Summers' speech will be out on Monday, and mine the next day. They are called the great speeches of the session. Tyler, of the *Enquirer*, tells me that the demand for mine increases daily, while that for Summers' falls off. I shall distribute copies freely throughout my district. Have you any information of what is the sentiment of Charles City? New Kent is right.

I stopped just here to await the mail, under hope of a letter from you. The mail has arrived and my hope is realized. You can scarcely imagine the anxiety with which I opened it. I have not heard from home before since I left. The storm had cut off all intercommunication until Friday. By Capt. Hill I wrote you Saturday, sending down a box containing the lace. I hope you received it. I dined on Friday at J. T. Brown's, son-in-law to Mr. Willcox, of Petersburg. Mrs. B.'s father, Mr. Southall, is a member of the convention. Mrs. Brown discharged the duties well,—made many enquiries about you. I wrote you that I had been up to see Julia. Mrs. Pegram speaks highly of her. Mr. McFarland, on hearing she was at Mrs. Pegram's, said he would send his daughter to see her. He has been very attentive. I hope she will be here to-day to see me. . . .

I forgot to say that Mr. Ritchie showed me a letter from Mrs. Ritchie, expressing high praise of my letter of a month ago. *Le Pays* comes to me regularly. I send a letter from Robert to Gardie. Read it for him.

¹ On the 11th of March Mr. Crittenden received, by a vote approaching unanimity, the thanks of the convention “for his recent able, zealous and patriotic efforts in the Senate of the United States to bring about a just and honorable adjustment of our national difficulties.” Mr. Buchanan, in his “Defense” of his administration, page 151, converts this vote into a censure on the “majority of their own commissioners,”—Messrs. Tyler, Seddon and Brockenbrough,—for voting against the Peace Conference plan which Mr. Crittenden professed his willingness to adopt in lieu of his own. Now, how absurd! How could it operate a reflection on the gentlemen named unless Mr. Buchanan intended to restrict the patriotic action of Crittenden merely to the support of the Peace Conference propositions? Yet the three commissioners named voted in the Peace Convention for the Crittenden propositions when proposed by Mr. James B. Clay, of Kentucky. But Mr. Tyler himself, who had long ago forgiven his old collegemate for his course on the Bank question, not only voted in the State convention for the resolution of thanks to Mr. Crittenden, but spoke in high praise of him. The State convention itself rejected the Peace Conference project.

Notwithstanding the powerful effect of Mr. Tyler's speech on the convention, the members still wasted the precious hours in fruitless debate over the report of the committee on Federal Relations, which advised nothing better than a convention of the Border slave-States at Frankfort, Kentucky, on the last Monday in May. Their sentiment of love for the Union seemed to paralyze every suggestion of reason or common sense. It was not until the 4th of April that the voting commenced. But even then nothing more than an *ultimatum* was expected by Mr. Tyler. In the morning of that day he wrote Col. D. L. Gardiner, as follows:

[TO D. L. GARDINER.]

RICHMOND, April 5, 1861.

MY DEAR COLONEL. After great delay my speech in the convention has but now seen the light.¹ I hasten to send you the paper containing it, and will, as soon as I can have it so printed, send you a pamphlet copy for the library. I send a paper also to your mother. It is destined to a large circulation, which would have been quadrupled had it been published at an earlier day.

We are still listening to speeches, but go to serious work to-day—the work of voting. I think the prospect is that we shall adopt an *ultimatum*, and there rest for the present. I hope it may be a strong one. The people of the State are becoming very restless. I wish that the speech could be extensively published in the North and West. The convention will adjourn in some ten days.

Gardie has had the measles at home, and Julia has it here at Miss Pegram's school. They are both doing well. Gardie, I hope is over it, and Julia, without a change, will soon be. The other children I suppose will have it. I almost wish it. I hope that your wife is perfectly well, and that your mother enjoys this fine weather.

With affectionate regards, yours truly,

JOHN TYLER.

The fate of Virginia and the South hung on every hour that passed, yet nothing could arouse the convention from the lethargy of inaction into which it seemed sunk. When, on the day before, among a variety of other propositions—all, however, against “coercion”—Lewis E. Harvie, of Amelia county, moved that the committee on Federal Relations should be instructed to report an ordinance of secession; the vote stood against it ninety to forty-five. This result was hailed with delight by the Northern people. Virginia was regarded as irrevocably committed to the Union cause. And so she was, but in a sense entirely different from that

¹ Published in the *Enquirer* of March 30, 1861.

published by the Northern papers. She loved the old Union of the Fathers, and the hope of restoring it was what alone kept her under the government of Mr. Lincoln. But the people of the State were far in advance of the representatives in the convention. Nothing is more absurd than the delusion under which some Northern writers to this day seem to labor, that the secession of the Southern States was the work of a few wicked conspirators. It was nothing of the kind. If the North went into the war united, the South went into it fused into a solid mass—not united simply. In proportion as the South was twenty times more powerful than the Americans in 1776, was its union more complete. It has been estimated on high authority that upwards of one-third of the American people were Tories in 1776; and this explains the severity of the laws enacted at that time against them. On the other hand, how rare a thing, after April, 1861, to meet with a Northern sympathizer in the South.

While the convention continued to ponder and hesitate, the people were in action all over the State, organizing into military companies, drilling, and petitioning the convention for an early ordinance of secession. The people saw and felt the danger far more acutely than the majority of the members of the State convention.

But the end was drawing nigh. Telegrams received in Richmond on the morning of April 6th announced that the Lincoln government was preparing a formidable armament of naval and land forces at New York for the purpose of reinforcing Fort Sumter. The convention took action immediately, but was still pacific. Three resolutions were offered by William Ballard Preston, of Montgomery: the first declaring the government of the United States to be one of limited powers, and having no right under the Constitution to subjugate a State or execute the laws within the limits of a State which had withdrawn from the government and was in the exercise of its independent authority; the second maintaining the right of Virginia to protest against a coercive policy; and the third advising the appointment of three delegates to wait upon Mr. Lincoln, to present him these resolutions, and respectfully to ask him to communicate to the convention the policy which the Federal authorities intended to pursue in regard to the Confederate States. Mr. Baldwin, of Augusta,

proposed to substitute in the place of the first and second resolutions a simple preamble to the effect that, in the opinion of the convention, the uncertainty prevailing in the public mind as to the policy which the Federal government intended to pursue towards the seceded States was extremely injurious to the industrial and commercial interests of the country, tended to keep up an excitement which was unfavorable to the adjustment of pending difficulties, and threatened a disturbance of the peace. Mr. Preston accepted the proposed substitute, and the resolutions, as amended, were adopted by a majority of the convention. On Monday, the 8th of April, the convention appointed, as its commissioners to President Lincoln, William Ballard Preston, George W. Randolph and Alexander H. H. Stuart.¹ They left Richmond the next day for Washington.

Now, this brings me to review what certainly appears, under the lights of those and subsequent times, as one of the most disgraceful chapters in American history.

We have noticed before the strange indifference of the Republican party in Congress to the recommendation of Buchanan as to strengthening the arm of the executive. Mr. Seward, who was looked upon as the coming premier, was outspoken in the Senate against the employment of arms to coerce the South. The *New York Tribune*, the potential organ of the Republican party, advocated, as we have seen, a like view; and it is notorious that all the chief measures and tendencies of the Republican party were on the policy of delay,—a policy consistently pursued until as late as the second week in April, 1861, when the intentions of the administration were *revolutionized* by influences that I have promised to note. Nothing is clearer than that Mr. Lincoln and Mr. Seward intended to withdraw the troops from Fort Sumter: and had they done that, it is to be very much questioned whether the Northern heart could ever have been “fired,” or any serious invasion of the South contemplated. The Southern States would have gone on to obtain recognition from the powers of the world, and the separation of the Union have been completed without the effusion of blood.

A hasty review of the connection of Mr. Lincoln and his ad-

¹ R. R. Howison's *History of the War*.—*Southern Literary Messenger*, xxxiv., p. 405.

ministration with this interesting question, from the arrival of the new President in Washington until the sailing of the relief squadron in April, will show that the author is not straining history when he speaks as he does above concerning the policy of the administration as "revolutionized" on the point of withdrawing the troops from Fort Sumter after the first week in April. And, first, it is important to note the testimony of Gov. C. S. Morehead, of Kentucky, whose narrative to Mr. Crittenden bears the strongest evidences of truth upon its face. This gentleman says that, on Mr. Lincoln's arrival in Washington, he waited upon him, in company with Messrs. Rives of Virginia, Doniphan of Missouri, and Guthrie of Kentucky, and that, in reply to the earnest solicitations of these gentlemen, Mr. Lincoln said that "*he would withdraw the troops from Fort Sumter if Virginia would stay in the Union.*" Gov. Morehead says that he could not be mistaken in the language, since "he took occasion to write down the entire conversation soon after it occurred." The impression thus left upon Morehead's mind was that the new administration would not resort to coercion. "*This was still further strengthened by the voluntary pledge of honor of Mr. Seward, in the presence of Mr. Taylor, of Washington, and Messrs. Rives and Summers, that there should be no collision.*" 'Nay,' said he to me, 'if this whole matter is not satisfactorily settled within sixty days after I am seated in the saddle and hold the reins firmly in my hand, I will give you my head for a foot-ball.' These were the identical words used, as I put them on paper in less than two hours after they were uttered."¹

The fact that this interview took place before Anderson's dispatches arrived in Washington, making the revelation of the true condition of affairs in the harbor of Charleston, shows how shockingly insincere was the conduct of William H. Seward in attempting, in his letter of April 10, 1861, to Mr. Charles Francis Adams, to inculcate the policy of Mr. Buchanan, which he himself approved, and not only approved, but attempted to carry to a length not contemplated by the latter. One cannot forget his quibbles and insincerity in his correspondence in the McLeod affair; and Mr. Tyler, who seldom passed a harsh judgment on any man, had written: "I suspect the man at every step. A more arch and

¹ Coleman's Crittenden, ii., p. 338.

wily conspirator never existed." This censure of Mr. Buchanan in an official communication from the Secretary of State had only one precedent in American history, and that was when Van Buren, as Secretary of State under Jackson, censured Mr. Adams' administration for its conduct of the negotiations respecting the West India trade. This act had been the ostensible occasion of Van Buren's rejection when nominated as minister to England in 1832. The comparison, indeed, is most apt. Both Mr. Seward and Mr. Van Buren were men without any principle of action whatsoever beyond the suggestion of the moment—neither great in soul or mind—temporizers; but shrewd, cunning, and versed in the use of the wires—the one an anti-Mason, the other a *loco-foco*, *New York politicians*, opposed in the beginning, but united in the end; and, in fact, on principle always so.

The letters of Mr. Stanton, in the correspondence of Mr. Buchanan, show how generally prevalent was the idea that the troops would be drawn from Fort Sumter. The Northern mind was entirely "reconciled" to it. It was recognized that it could not be reinforced without inaugurating civil war, and the Southerners had by open and honest means outmanœuvred the government. But another and still more important circumstance comes in to demand attention.

Mr. Tyler had advised General Davis, during the sitting of the Peace Convention, to send commissioners on to treat with the new administration. These arrived on the 3rd of March. Mr. Seward did not recognize them officially, but encouraged them to hope that peace might be preserved. The intercourse with Mr. Seward was conducted through John A. Campbell, of Alabama, one of the justices of the Supreme Court. Judge Campbell emphatically and unequivocally declares that Seward, in two interviews with him, gave assurances that the Fort was to be evacuated, and was authorized by him to state to the Southern commissioners that "the government will not undertake to supply Fort Sumter without giving notice to Governor Pickens." The last interview was on the 1st of April. On the 7th Judge Campbell again addressed Mr. Seward a letter, alluding to the anxiety and alarm excited by the great naval and military preparations of the government, and asking whether the peaceful assurances he had given were well or ill-founded. Seward's reply was laconic: "*Faith as to Sumter*

fully kept; wait and see." This was after the fleet had put to sea, and when it was near Fort Sumter, for the purpose of provisioning and enforcing it, "peaceably" if permitted, "otherwise by force."¹

It was not until the 8th, four days before Beauregard opened fire on Fort Sumter, that the commissioners, who had been fed with hope and treated with the most shameful duplicity, were informed of the true condition of affairs. Not only is it clear that the policy of the administration had been changed, but the change itself was steeped in fraud and hypocrisy, which had entered more or less as an ingredient in all the transactions on the part of the administration.

Now it is easy enough to explain, when the historian has to do with creatures of *expediency*, any change whatsoever. The actors on the scenes become the resultants merely of the whole number of interests acting at any time upon them.² And it was merely the question of expediency, not any high patriotism, that caused the administration to abandon the policy of peace for one of aggression under circumstances so revolting to the pride of the American people. I say "American people," for the time must come when the people will regard the late war as Englishmen do the wars between the rival Houses of York and Lancaster, and come to estimate men, not by the side on which they fought, but by the relative amount of virtue and character each displayed in maintenance of what each considered right. In the passage of the Morrill Tariff by the Republicans, with rates ranging from fifty per cent. to two hundred per cent., and the adoption of a rival schedule by the Confederate Congress, with rates as low as from ten per cent. to twenty per cent., a whole arsenal of arms were

¹ See the full account in Stephens' "War between the States," ii., p. 346.

² Even when he was most the advocate of the peace policy, Seward had consciously another set of views in reserve. Morehead says "that when he happened to mention the conversation he had had with Seward to a leading Republican, the latter denounced him in very bitter terms, and told him that only the night before he, Mr. S., had held very different language to a Republican caucus." Morehead believed what this first named gentleman had told him; "and meeting Mr. Seward at a dinner party, at Senator Thompson's, of New Jersey, I intimated to him—remotely. it is true—that I knew what he had said at that caucus, and used some pretty strong language towards any man who in this crisis would act a double part." To this suggestion Morehead imputed the cause of his most cruel incarceration.—*Coleman's Crittenden*, ii., p. 335.

furnished to the *stiff-backed* men of the Peace Convention. Under the changed state of things the South would realize the dream of Patrick Henry, and free trade would speedily make New Orleans the rival of New York. A letter of Mr. Stanton to Mr. Buchanan, dated March 16, 1861, is very significant on this point:

[MR. STANTON TO MR. BUCHANAN.]

WASHINGTON, *March 16, 1861.*

Every day affords proof of the absence of any settled policy or harmonious concert of action in the administration. Seward, Bates and Cameron form one wing; Chase, Miller, Blair, the opposite wing; Smith is on both sides, and Lincoln sometimes on one and sometimes on the other. There has been agreement in nothing. Lincoln, it is complained in the streets, has undertaken to distribute the whole patronage, small and great, leaving nothing to the chiefs of departments. Growls about Scott's "imbecility" are frequent. The Republicans are beginning to think that a monstrous blunder was made in the tariff bill, and that it will cut off the trade of New York, build up New Orleans and the Southern ports, and leave the government no revenue; they see before them the prospect of some being without money and without credit. But with all this it is certain that *Anderson will be withdrawn.*

The Chase faction, alluded to by Stanton, constituted the "stiff-backed" men of the Peace Convention; and it was these men who, in the elegant language of Z. Chandler, had entertained the opinion that "this Union without a little blood-letting would not be worth a rush." They represented the great tariff interests of Massachusetts and the North, the hordes of hungry office-seekers,¹ the contract men, and the adventurers who saw such handsome opportunities in the honors, badges, titles, epaulets and expenses of war.² Victory would ensure the permanence of the tariff on the South. If she was ever taken back in communion again, she would never be able to kick against the tariff, and the Northern men would grow rich for all time without any more such troublesome revenue affairs as that of 1846, which has all literally happened. To-day in the North millionaires are almost common.

It was the first week in April, and still the policy of the government was pacific, though a furious war was going on at Washing-

¹ Stanton to Buchanan, March 14, 1861: "The pressure for office continues unabated. Every department is overrun, and by the time all the patronage is distributed the Republican party will be dissolved."

² "They want to keep the slave-States in for their benefit—to foot the bills, to pay the taxes—that they may govern them as they see fit, and rule them against their will."—*Mr. Lane, of Oregon, in the Senate, March 2, 1861.*

ton between the opposing wings. Mr. Seward, of the peace-faction, sent Allen B. McGruder, as confidential messenger to Richmond, to hold an interview with Mr. Janney (president of the convention), Mr. Stuart, Col. Baldwin, and other influential men of the ruling "Union party." Mr. Seward said that secrecy was all important, and while it was extremely desirable that one of them should see Lincoln, it was equally important that the public should know nothing of the interview. Col. Baldwin responded to the invitation, since, though one of the ablest men of the convention, he was known personally to but few in Washington, having never served in Federal politics. He repaired to Washington as soon as possible, went in a closed carriage to Seward, and from there, in his company, to the White House. But in this short time the policy of the administration had undergone a change. Seven Republican governors of Northern and North-eastern States representing the "stiff-backed" clique had descended on the government, and won the victory over Seward and the rest. With the ignorance of the South, which I am sorry to say is still prevalent with many Northern writers, they represented to Mr. Lincoln that the people of the South were not in earnest; that all their speeches, resolutions, and declarations of resistance were but a "game of brag;" that Virginia and the Border States would never leave the Union; that it would ruin the North to have a free-trade people to the South of them; that it would be but an easy job to conquer the cotton States, etc., etc. Mr. Lincoln, who had vacillated between the parties, found the combined pressure of office-seekers and tariff-men too much for him; and when Col. Baldwin arrived he had gone over to the *stiff-backed* men, bag and baggage. But Mr. Lincoln gave him a most private interview, and the latter quickly dispossessed him of his erroneous impressions regarding the intentions of the Border States, who looked to Virginia as their leader. Lincoln's native good sense, under the influence of Col. Baldwin's evident sincerity, immediately grasped the truth. He clutched his shaggy hair, as though he would jerk out handfuls by the roots; he frowned and contorted his features, exclaiming: "I ought to have known this sooner! You are too late, sir, *too late!*" Why did you not come here four days ago, and tell me all this?" turning almost fiercely upon Col. Baldwin. Baldwin replied: "Why, Mr. President, you did not ask our advice. Be-

sides, as soon as we received permission to tender it, I came by the first train as fast as steam would bring me." Lincoln rejoined: "Yes, but you are too late, I tell you, too late!" Col. Baldwin pleaded the question with him as he never did a case on behalf of a client in jeopardy of life. One single step would be sufficient to paralyze the secession movement. This was a simple proclamation, repudiating the right of coercing sovereign States by force of arms, and to rely upon conciliation to bring them back into the Union, as had been the course pursued with respect to Rhode Island and North Carolina in 1790. It was a contradiction to suppose that any State would voluntarily abnegate Union except under conviction of real wrong. The question of the Territories had no such importance in the eyes of the Border States to urge them into secession, but coercion would be universally considered the *casus belli*. Lincoln seemed impressed by Baldwin's eloquence and solemnity, and asked: "But what am I to do meantime with those men at Montgomery? Am I to let them go on?" "Yes, sir," replied Col. Baldwin decidedly, "until they can be peacefully brought back." "And open Charleston, etc., as ports of entry with their *ten per cent.* tariff? *What then would become of my tariff?*" This last question he announced with such emphasis as showed in his view that it decided the whole matter.¹

The old sordidness of spirit which marked the conduct of the extremists of the North in refusing any diminution of the tariff rates from 1824 to 1833, and came then within an ace of bringing about civil war, from which the country had been saved chiefly by the efforts of Mr. Tyler, was to control in the present emergency. The *Union* was to be made the *North*, and the laws, which to modify was considered disgraceful, and to enforce with an autocratic will, to the exclusion of justice and humanity, the high duty of the Federal government, was a tariff law for the benefit of the North, "*unexampled by the most unenlightened nations on earth.*"

Gov. Pickens says that Col. Lamon, the law partner of Mr. Lincoln, wrote him from Washington, assuring him that the troops would be withdrawn from Fort Sumter. It also appears that a leading article for a New York paper had been prepared to ac-

¹ See Dr. R. L. Dabney's Narrative of Col. Baldwin's Interview, corroborated by A. H. H. Stuart (Southern Historical Papers, Vol. i., p. 443), and by Col. J. H. Keatley, of Iowa (*Ibid.*, ix., p. 88.)

company an order of withdrawal, the proof-sheet of which was submitted to Mr. Lincoln and approved. Mr. Lincoln signed the order for this purpose, and is said *to have shed tears* on the occasion. In the editorial, which is given by Governor Pickens in his communication to the papers, the ground was taken that the evacuation was an absolute military necessity, brought about by treason on the part of Mr. Buchanan.¹

Col. Baldwin returned to Richmond, and it was then that the delegation appointed by the convention, and consisting of William Ballard Preston, A. H. H. Stuart, Geo. W. Randolph, set out on their trip to Washington to ascertain the final intentions of the administration. Mr. Lincoln appointed the 13th day of April as the day of receiving them. When the day arrived, the bombardment of Fort Sumter had taken place. Mr. Lincoln read to them a formal answer, in writing, in which he declared it as his policy and resolve to employ arms to the extent of repossessing himself of the forts and fortresses in the hands of the Confederates. It was reserved for a new race of politicians of peace, in comparison with whom Chase was an angel, to convert the enforcement of the laws thus begun into a war on "rebellious States."

The delegates returned to Virginia, and on the 15th of April made their report to the Convention. But the storm-cloud, so long threatening, had burst. Sumter had fallen; the South was blazing with excitement; the Republican papers had taken the cue from the administration, and were in a fury of anathema on the South; the Democrats were terrorized; and half the "Union men" in the Virginia convention were in favor of secession. The proclamation of Lincoln calling for 75,000 men left Virginia no alternative but secession. Nevertheless, the convention acted with a coolness not to be expected at such a time.

On the motion of Mr. James P. Holcombe, on the 16th of April, the convention went into secret session; and on Mr. Tyler's motion the members were required to take an oath of secrecy. In secret session Mr. Preston, one of the recent commissioners to Mr. Lincoln, a "Union man," and a gentleman of distinguished abilities,

¹ See the proof-sheet of the article, and an explanatory letter of Gov. Pickens, in the *Examiner*, August 8, 1861; *Columbia Guardian*; *Record of Sumter* pp. 38-44. See R. R. Howison's *History of the War*.—*Southern Literary Messenger*, xxxiv., p. 304.

submitted an ordinance, repealing the ratification of the Constitution of the United States by the State of Virginia, and resuming all rights and powers granted under said Constitution. That day Mr. Tyler wrote to Mrs. Tyler, as follows:

[To MRS. TYLER.]

RICHMOND, *April 16, 1861.*

Well, dearest, your letter received this morning placed me much at ease relative to the dear children. I hope you will still keep an eye upon them, and not suffer them to expose themselves to the weather. Our noble boys are of high spirit, and if God spares them, I think they will reflect honor on our names.

The prospects now are that we shall have war, and a trying one. The battle at Charleston has aroused the whole North. I fear that division no longer exists in their ranks, and that they will break upon the South with an immense force. Virginia will deserve much credit for boldness, if in face of all this, in debt and without disciplined troops, she throws herself into the *melée*, taking upon trust the action of the Border slave-States; but events press so rapidly on each others heels that we have, I think, no alternative. Submission or resistance is only left us. My hope is that the Border States will follow speedily our lead. If so, all will be safe. The convention is sitting with closed doors. Another day may decide our course. To-morrow night is fixed for a great torch-light procession and illumination for the battle at Charleston. If to this is added an ordinance of secession, there will be an immense outburst. I wish the boys could be here. But do not understand me as saying an ordinance will be passed. On the contrary, it will be in doubt until the vote. General Scott has resigned. It is as I always thought it would be. He comes to offer his sword to Virginia. I propose to offer suitable resolutions. We learn that the government has sent five hundred troops to the navy yard at Portsmouth.

These are dark times, dearest, and I think only of you and our little ones. But I trust in that same Providence that protected our fathers. These rascals who hold power leave us no alternative. I shall vote secession, and prefer to encounter any hazard to degrading Virginia. If the ordinance passes, it is to be submitted to the people.

Love and kisses to all. Always your devoted,

J. TYLER.

After 8:30 P. M.—Just adjourned without taking the question.

On the 17th of April, 1861, the convention was brought to a vote on the question of secession. But even now Baldwin, Stuart, and some of the other "Union" leaders, were in favor of a consultation with the other Border States before resorting to this extremity—a policy which, if adopted, would have reserved for Virginia the inglorious fate of Maryland in the place of falling on the plain of battle "with her back to the field and her feet to the

foe." But the immediate secessionists had now doubled their numbers. The vote for the ordinance stood eighty-eight to fifty-five. Immediately after the question, nine members changed their vote from the negative to the affirmative, and six who had not previously voted obtained leave to record their names in favor of the ordinance. Thus the final vote stood one hundred and three to forty-six. But there were *traitors* in the convention. *Before the injunction of secrecy was removed*, John S. Carlile, delegate from Wheeling, left Richmond, and hastened to Washington to put the authorities there on their guard. He afterwards took the lead in disrupting the old State, and in establishing the State of West Virginia. On the day after the passage of the ordinance of secession Mr. Tyler wrote home as follows:

[TO MRS. TYLER.]

RICHMOND, April 17,¹ 1861.

Well, my dearest one, Virginia has severed her connection with the Northern hive of abolitionists, and takes her stand as a sovereign and independent State. By a large vote she decided on yesterday, at about three o'clock, to resume the powers she had granted to the Federal government, and to stand before the world clothed in the full vestments of sovereignty. The die is thus cast, and her future is in the hands of the god of battle. The contest into which we enter is one full of peril, but there is a spirit abroad in Virginia which cannot be crushed until the life of the last man is trampled out. The numbers opposed to us are immense; but twelve thousand Grecians conquered the whole power of Xerxes at Marathon, and our fathers, a mere handful, overcame the enormous power of Great Britain.

The North seems to be thoroughly united against us. The *Herald* and the *Express* both give way and rally the hosts against us. Things have gone to that point in Philadelphia that no one is safe in the expression of a Southern sentiment. Poor Robert is threatened with mob violence. I wish most sincerely he was away from there. I attempted to telegraph him to-day, but no dispatch is permitted northward, so that no one knows there, except by secret agent, what has transpired here. At Washington a system of martial law must have been established. The report is that persons are not permitted to pass through the city to the South. I learn that Mrs. Orrick and her children, on her way here to join her husband, who is on the convention, has been arrested and detained. There is another report that General Scott resigned yesterday and was put under arrest. I hope it may be so, but I do not believe it. I have some fear that he will not resign. Reports are too conflicting about it.

Two expeditions are on foot,—the one directed against the Navy Yard at Gosport, the other Harper's Ferry. Several ships are up the river at the

¹ As the ordinance was passed on the 17th, this date ought to be 18th.

Navy Yard, and immense supplies of guns and powder ; but there is no competent leader, and they have delayed it so long that the government has now a very strong force there. The hope is that Pickens will send two thousand men to aid in capturing it. From Harper's Ferry nothing is heard. The city is full of all sorts of rumors. To-morrow night is now fixed for the great procession ; flags are raised all about town.

If possible I shall visit home on Saturday. Tell Gill that I shall send or bring down the sturgeon twine and six bushels of potatoes, which should be planted as soon as they reach home. I wish much to see you after so long an absence, and the dear children, since they have had the measles. Do, dearest, live as frugally as possible in the household,—trying times are before us.

Kisses to all.

Your devoted,

J. TYLER.

Julia is quite well.

The convention now began to act with something like commendable promptness. Carefully keeping secret the passage of the ordinance of secession, it promptly took measures to secure possession of all the military stores and arms in the State. The Navy Yard at Norfolk and the Arsenal at Harper's Ferry were seized, but they had delayed so long that, though successful for the greater part, they could not prevent the destruction of much of the treasure which they contained in the shape of provisions of war of all kinds.

After the passage of the ordinance of secession, the convention appointed John Tyler, William Ballard Preston, S. McD. Moore, James P. Holcombe, James C. Bruce, and Lewis E. Harvie commissioners on the part of Virginia to confer with Alexander H. Stephens, commissioner of the Confederate States, for a temporary union of Virginia with said Confederate States.

These commissioners entered into a temporary agreement, by which the whole military force and military operations, offensive and defensive, of the State, in the impending conflict with the United States, were placed under the chief control and direction of the President of the Confederate States, as if the State were actually a member of said Confederacy.

This agreement, which is believed to have been drawn by Mr. Tyler, was justified under the Constitution of the United States, which, in Article I, Section 10, declares that "no State shall, without the consent of Congress, lay any duty of tonnage, keep troops or ships of war in time of peace, enter into any agreement or compact with another State or with a foreign power, or engage in

war *unless actually invaded or in such imminent danger as will not admit of delay.*" The Constitution of the United States had no thought of depriving the States of the power or the right of self-defense. By this convention the large military resources of Virginia, including 36,000 men under arms, batteries, navy, and splendid armory, were turned over to the Confederate government.

On the 24th of April, Mr. Tyler reported the treaty thus negotiated to the convention, together with an ordinance for the adoption of the Constitution of the Provisional Government of the Confederate States of America—"the ordinance to cease to have any legal operation or effect if the people of the Commonwealth, upon the vote directed to be taken on the ordinance of secession passed by this convention on the 17th day of April, 1861, shall reject the same." Ordinances were rapidly passed providing for calling out the volunteers and organizing the army and navy. Within five months Virginia had in the Confederate service sixty-eight regiments, including cavalry, artillery and infantry.

On the 29th of April the convention elected R. M. T. Hunter, William C. Rives, Waller R. Staples, Jno. W. Brockenbrough, and Gideon D. Camden, to represent the State in the Confederate Congress at Montgomery. These were all but the first from the old Union party. "President Tyler would have been appointed if it had not been understood he did not desire it. Debilitated from a protracted participation in the exciting scenes of the convention, he could not bear the fatigues of so long a journey at this season of the year."

About this time Mrs. Gardiner, alarmed at the popular outbursts in the North, wrote to Mr. Tyler, making the request that the little children should be confided to her care. He replied:

[TO MRS. GARDINER.]¹

RICHMOND, May 2, 1861.

MY DEAR MRS. GARDINER: I have but a moment ago received your letter from the hands of Mrs. Pegram, and regret to perceive the nervous concern you feel in relation to the safety of our dear Julia and the children. Be assured that they will always be in safety. The vaunts and terrible boasts of the North are one thing—the execution of them another. In mustering their

¹ Mrs. Gardiner's residence was on Staten Island, New York. She had, annually exchanged visits with her daughter, Mrs. Tyler, who was wont to visit her in the summer.

troops in the large cities, they, of course, are more expeditious than it can be done in the country; but we are ready for them, and number in Virginia at this moment more troops under arms and in the field, panting for the conflict, than they can arm, provision, and support for a campaign.

The whole State is clad in steel, under the command of the most accomplished leaders. General Scott is too old and infirm to take the field, while our commander, General Lee, a son of Harry Lee of the Revolution, the most accomplished officer and gentlemen, will lead our armies. The volunteers have come in such numbers that thousands are ordered home. Our fighting men in the State number 120,000. North Carolina and Tennessee have followed our lead, while the further South sends us succours. Our people are filled with enthusiasm. I had never supposed it possible that so much enthusiasm could prevail among men. In a week from this time, James River will bristle with fortifications, and Charles City will be far safer than Staten Island.

No one of all these hosts is boastful; none blood-thirsty; all generous and brave. Why, my dear Mrs. Gardiner, judging from the tone of the papers, the North has fallen back on the age of barbarism. The era of Robespierre was never more savage. I would not trust any one bearing my name, even our little Pearl, to New York, if the *Herald*, *Tribune*, *Courier*, and *Enquirer*, and *Times* are the true exponents of Northern sentiments.¹ No, my family and myself here are safe. The mob sent out relieves your cities, it is true, but other mobs will rise up to overthrow order. If I find our situation dangerous on the river, we will go to the mountains, or other retreats in Virginia.

Little Julia is well and happy. All are well at Sherwood Forest.

With my congratulations to the Colonel on account of his boy, and affectionate regards to his wife.

I am, most truly yours,

JOHN TYLER.

¹ The New York *Courier* and *Enquirer* advised the most rigid system of blockade on the South, that the negroes should be let loose on the whites, men, women and children indiscriminately, and to prostrate the levees of the Mississippi, so as to drown the rebels on the lower Mississippi, "just as we would drown out rats infesting the hull of a ship." The New York *Tribune* said that "Virginia was a rich and beautiful State, the very garden of the Confederacy," and advised that "her lands should be parcelled out among the pioneers who are on their way to Washington at this moment in regiments." The Philadelphia *Transcript* bellowed that desolation must be "carried from the Potomac to the Rio Grande." "If necessary, myriads of Southern lives must be taken; Southern bodies given to the buzzards; Southern fields consigned to sterility, and Southern towns surrendered to the flames." The Southerners "should not be permitted to return to peaceful and contented homes. They must find poverty at their fireside, and see privation in the anxious eyes of mothers, and the rags of children." The *Westchester Democrat*, in urging on the Pennsylvania troops, said that Baltimore had "always been celebrated for the beauty of its women; that the fair were ever the reward of the brave, and that *Beauty and Booty* had been the watchword of New Orleans."—See *Howison's History of the War*.

On the 11th of May Robert Tyler arrived in Richmond by a round-about trip from Philadelphia. Mr. Tyler had in good faith made his home among the Pennsylvanians, and just as the war came on had attained such prominence in the political world that the future seemed to promise him the highest political success. He was born in 1816; was the sole graduate at William and Mary in 1835, and even as early as his father's presidency, when only twenty-eight, he had been elected president of the Irish Repeal Association. Various missions and offices of importance had been successively offered him by Presidents Pierce and Buchanan, both of whom entertained the highest opinion of his talents and character. He was the author of several poems as a young man—"Ahasuerus," and "Death, or Medora's Dream"—which, owing to the political excitement of the times, were as extravagantly praised by some as they were inconsiderately abused by others.

These volumes, however, received favorable criticism at the hands of Geo. D. Prentice, Hugh S. Legaré, in the *Southern Quarterly*, Judge Conrad, Dr. Byrd, Joseph B. Chandler, of Philadelphia; John Howard Paine, Charles Hoffman, and other well-known literary men of the country. Shortly after the publication of the later of the two poems, Mr. Tyler removed to Philadelphia, and entered on the practice of the law—taking part in those active struggles of life so very destructive to the poetical element in one's composition. He also engaged actively in politics on the widest theatre of action in this country. In 1847, he was appointed Solicitor of the Sheriff of Philadelphia. This office he held for three years. Shortly afterwards he was appointed to the respectable and lucrative office of Prothonotary of the Supreme Court of Pennsylvania, which he held until his flight to Richmond. Mr. Tyler was perhaps the chief agent in securing the nomination of Mr. Buchanan, in 1856, at the Cincinnati convention, to which he was a delegate.

After Mr. Buchanan's triumph, the Richmond *Enquirer* thus alluded to Mr. Tyler and his agency in that exciting contest:

All accounts concur in representing the services of this gentleman in the present presidential canvass in Pennsylvania to have been of the most distinguished character. We learn that no man of his age in the State of his adoption has exhibited superior powers of argumentive eloquence, or a greater amount of accurate political information, and it gives us sincere pleasure to bring his name before our readers at this time. . . .

A political career so nobly commenced augurs for Robert Tyler a future, we hope, of great excellence; and we rejoice to have it in our power to speak in such terms and with such expectations of the son of his illustrious father.

A cabinet of a president is too often made up with a view to appeasing dissatisfied elements, or else it is supposed that Mr. Tyler would have been called to a seat in Mr. Buchanan's. In 1858, he was chairman of the Democratic Executive Committee of the State of Pennsylvania—the key-stone State in Democratic politics, and won extensive reputation for the ability with which he discharged the duties of that important political office. In the Mexican war Mr. Tyler raised a regiment in Philadelphia, which he tendered to the government, but which was declined on account of the number already in the field. He had also the honor of introducing and passing through a State convention in Pennsylvania, in 1854, the first resolution ever passed by any State in favor of the construction of the Pacific railroad, and wrote a largely circulated pamphlet in favor of this enterprise.

He had remained at his post in Philadelphia until after the secession of Virginia, and from his well known Southern views was assaulted by the mob, who had now inaugurated a reign of terror in most of the cities of the North. Like many others he had to fly for his life, but succeeded in escaping to Richmond, where he was soon after appointed by Mr. Davis Register of the Southern Confederacy.

The following letters of Mrs. Tyler recall very vividly the intense excitement and feeling that characterized the period over which they extend. It is due to Mrs. Tyler, however, to say that the kind treatment that she afterwards received during the war, on the death of her husband, from such eminent Republicans as William M. Evarts and Edwards Pierrepont, did much to modify her views as to the motives of the Northern men. The *people* unquestionably fought for a principle, and that principle was sublime—the UNION in the sense of the fathers. But the South fought for a sentiment even more sublime—LOCAL SELF-GOVERNMENT.

[MRS. TYLER TO MRS. GARDINER.]

SHERWOOD FOREST, VA., April 18, 1861.

By my last letter from the President the convention was sitting with closed doors. The vote was probably taken yesterday, and it must have been for secession, as we have heard a great cannonading all day in the direction of Richmond. Who can wish it otherwise? I assure you, judging from the

country, such is the exasperated feeling of wrong that every able-bodied man from every family is ready to shoulder his musket and will do so at the call. Mr. Douthat is the captain of our volunteer troopers here. It numbers eighty well-horsed, well-armed, and well-drilled and brave, true, high-toned gentlemen, who love the right and scorn the wrong. Captain Douthat says he expects to be the first to fall, but he is ready to die, if needs be, in the defense of his rights.

There is such a determined spirit of resistance throughout the South that, with the secession of the Border slave-States, I hope Lincoln will change his course and acknowledge the Southern Confederacy. It rests with him to prevent or urge a most unnatural and bloody war. The idea of *any* State meeting his demand! It is disgraceful.

The sentiments you express are so generous and becoming, and so like those of the boasted matrons of the Revolution, that I take every occasion to repeat them, and you are admired accordingly. I should think the citizens of New York who are opposed to this onslaught on their Southern kinsmen would now make a demonstration and form a party against coercion where States are concerned.

I enclose you Gov. Pickens' despatch to the President. It will make you realize the occurrences at Charleston. Return it at once, as I wish to preserve it.

John Tyler, Jr., is a clerk in the War Department at Montgomery. We knew nothing of it until the President received through him those telegraphic despatches from the Secretary of War (Mr. Walker), announcing the commencement of hostilities, which you may have seen in some of the newspapers.

Mr. Semple intends to resign the instant the State secedes, or before if ordered upon any secret or avowedly hostile expedition. Gen. Scott was expected in Richmond yesterday, to offer, it is said, his services to Virginia. But the papers tell you all this. I have no time for more. The children are well. Julia is still in Richmond and quite well. My cough, I am glad to say, has passed away. I hope Harry is well and very studious.

Your affectionate daughter,

JULIA.

Only to think who became aids to Gen. Beauregard at Charleston,—the senators who retired from their seats in Washington on the secession of South Carolina. Gov. Manning, and even Senator Wigfall, of Texas, on his way home, stopped to assist. They all exposed themselves to the fire, and Mr. Wigfall received the surrender. He is a splendid fellow—all spirit and bravery and intellect. I met him at Washington; and his wife is the kind of noble, high-spirited woman you would most admire. Think of the enthusiasm of old *Edmund Ruffin*,¹ our noted agriculturist!

SHERWOOD FOREST, CHARLES CITY CO., April 25, 1861.

In these times you must write often, if only a few words. I have no letters to-day from you, but if I continue to be disappointed, I will consider it owing to the mail obstructions, and not torture myself with doubts of your health and safety. I want you to write me what the people of Staten Island are

¹ He fired the first gun at Charleston, and, when the Confederacy went down, wrapped himself in the Confederate flag and blew his brains out.

doing, and whether they think themselves in danger of the *mob*, which I should think might well be feared in New York.

The President came down on Saturday and remained until yesterday (Tuesday). He brought Julia with him, and also carried her back. Matters are rapidly coming to the point; whether they will reach it or stop short of so unnatural a battle as that waged between the two sections will be depends upon the action of the President in Washington. I see no prospect of a change in his course, and so fighting will be the order of the day. This whole country is now under arms, and the whole South will soon be one vast camp of brave men, whose rallying cry will be, "Fight for your homes and your firesides." The South is invaded, and all effort for peace must now come from the North.

It is a real disappointment to me to see New York city so ready to engage in this wicked war. We hear the famous seventh regiment has been destroyed ere it reached Washington. And so it will be. I do not think Providence will suffer the *unoffending* to fall. Rumors, however, that want confirmation do not occupy much our thoughts. I suppose that rumor will prove a false one.

"Fuss and Feathers" has distinguished himself. You ought to hear how he is spoken of by his family and State.¹

Col. Lee, a splendid man every inch of him, is in command of the Virginia forces. He married, you remember, the daughter of G. W. Parke Custis. He can only lead to victory, if this shocking war continues.

The President writes me to-day Mrs. Clopton and daughter, from Old Point, were on board the boat yesterday, fleeing from their home. Their furniture will be sent after them in a few days. They said that the Massachusetts company that landed at Old Point for the Fort were the scum of the earth.

We have not decided what we shall do about the Villa. The measles has now gone through my family. Aleck, the last to have it, is now rapidly recovering. He was a very sick child for two or three days, but the disease has now left him, and he will leave his bed to-morrow. I have recovered entirely from my cold, and the family are all well. The President is in firmer health than for many past years. He is full of business now.

I would like to write you more freely, but I suppose it would not be prudent. I do not wish to write anything that would excuse a delay of my letters. We are very much concerned as to Robert Tyler; have had threatening letters in regard to him anonymously, and we see in the papers that Southerners are sought for by the mob at Philadelphia. He wrote to his father every few days; the letters have ceased, and I hear to-day that none are found on returning to Richmond. Strange! if there is no foul play, he has found it necessary to be silent and secret. We hear he is in Baltimore, from one of our neighbors, to which place he fled, literally chased by the mob away from his home. What next we shall hear, who can tell? . . .

Your affectionate daughter,

JULIA.

¹ "The general-in-chief of the army, in 1860, stood by the Union and made war on his State; and so did other officers, both of the land and sea service; for the soldier's and sailor's household gods commonly are found with his regiment or in his ship."—*Fears for Democracy*, p. 239.

[MRS. TYLER TO MRS. GARDINER.]

SHERWOOD FOREST, *May 4, 1861.*

If we find it best not to stay here, for health or other reasons, we will all go into the mountains. What will become of the Villa remains to be seen. It will have to take its chances. Was there ever such a savage, wicked war? It must be that Heaven's wrath will fall upon the offenders, and punish them before they can ever attempt to accomplish their fiendish purpose. The South will stand on the defensive, and are ready for a brave and determined fight, if their soil is invaded by an armed foe. Which will be victors of course cannot be foreseen, but they of the North wickedly invade for an unholy purpose to devastate and destroy, while the South is merely defending itself against them in the just maintenance of her rights. I think her course will be favored of Heaven. Those reports of vessels being sunk, and an Eastern captain hanged, are all *lies*, and you need believe nothing of the sort that you hear. The Southerners are committing no excesses of any description, and will not. Whatever they may be obliged to do will be *only* in self-defense. A great many newspaper stories will be got up for effect, and they may even be circulated by individuals, this bitter feeling runs so high; but you must believe nothing you would not wish to hear. The South will commit no crime or unfeeling act of any sort. See how they acted in Charleston, with what generosity, bravery and magnanimity! See how little the recipients ever appreciated it! It is a pity they were so courteous and polite to the vanquished, I thought so at the time. The Southerners need trust none, and expect no quarter. It is not the flag and the Union, but it is their dread of the North losing its supremacy! We are all well at present. . . .

I will write again soon. In haste, with love to all the household. Tell D—— the gentlemen on the river are all soldiers, and batteries with cannon line each side of the river. All seem prepared to perish or conquer if they are invaded. Your affectionate daughter, JULIA.

SHERWOOD FOREST, VA., *May 7, 1861.*

MY DEAR MAMMA: Mr. Clopton goes to Richmond in the morning (by land), and it is a good opportunity to write you a few lines. By yesterday's mail we received your letters of the 29th April and 2nd of May, also a letter from D., and newspapers. . . . I think D. has been bitten by the rabid tone of those around him and the press. It seems he belongs to a different school of politics from his experienced friend, the President, and is ready to deny State-sovereignty, therefore he opposes the movement of the South to save itself from destruction through an abolition attack, and sympathizes with the dominant power of the North. I was so unprepared for his views that I read his letter aloud to the President without first perusing it, which, if I had done, I should not have committed so decided a mistake. He says the government at Washington will not invade, but will only *reclaim its property*, and take by force the forts now in the possession of Southern States. What is that but invasion, I should like to know? The government at Washington has no business with the forts that were built for the protection of the States that have seceded, and as for the other property, the South will certainly hold all that

she has until a just arrangement is generally made, with a peaceful separation. The Northern people are very easily duped if they do not see their President means to invade the South, and commence the "irrepressible conflict," so long the favorite of himself, Mr. Seward and party. Those who have started upon a *tour* to defend Washington *and the flag*, will find themselves sent on a new errand, perhaps just as acceptable, to attack and destroy, if possible, their Southern friends. For my part, I am utterly ashamed of the State in which I was born, and its people. All soul and magnanimity have departed from them—"patriotism" indeed! A community *sold* to the vilest politicians.

The President tells me while I am writing to ask D. if he does not recognize in the existing blockade a *positive war* upon the South? All commerce is stopped by vessels of war at the mouths of our rivers. Even our river boat would be fired at and taken, if that impudent war steamer lying off Newport News could get the chance. All communication with Norfolk is thus prevented, and we hear the Baltimore Bay-boats have all been seized. The last was seized on yesterday after a passport to induce her to venture on had been given. Our Northern *brethren* will, however, stand by and see in all this no invasion—only a defense of Washington!

Your information of Robert was the last we have received. Perhaps he did not leave New York when he intended. It is to be hoped he will reach Virginia in safety, but by means certain. I pity exceedingly his poor wife, and her health is far from good. I understood all Mrs. Semple's furniture was seized on its way to the South. By the way, Mrs. Semple overheard in the cars on her way to Virginia that John Brown's son was *active* in this Southern crusade, and will be at the head of a company in pursuit of Governor Wise. A Massachusetts set have offered, these persons in the cars were heard to say, \$20,000 for his head. I imagine Governor Wise's head will be as safe as any other person's, but his *health* at this time is very much affected. He has been very sick with pneumonia, but is now recovering.

When next you see Mrs. Bromley do give her my best love. I dreamt of her last night; thought I had hurried to New York and gone there. I awoke in brisk conversation with her and Mr. Bromley.

I could continue with my pen without fatigue, but it is a late hour, and little Pearl has awakened. I enclose you a letter from Julia, by which you can judge of her improvement. I am glad to hear from you Sarah is doing so well. Tell Harry the boys wish him here to join the *Junior Guard*, of which Alex. is second lieutenant. They won't have anything to do with him if he countenances the invasion of Southern homes; but they believe him true as brave.

The P—— sends best love with that of your affectionate daughter.

JULIA.

SHERWOOD FOREST, May 11, 1861

I only write you one word this morning to say all continues well with us, and that I receive punctually your letters. Continue to direct them to Mr. Clopton. Mrs. Pegram sent those addressed to her care. Robert Tyler arrived on Wednesday. I have only a moment to say this much before the

boat passes. Every day I am expecting an entire interruption in our correspondence. If you would be just as well satisfied here, how I wish you were with us. Robert has written for his wife by all means to leave Bristol and join him. She wrote it was getting worse and worse, and she wanted to come away, and she will at once set out and hurry to Virginia. From here she will proceed on to Marietta, Georgia, and remain with her brother until her husband fixes himself in Montgomery.

Robert laughed at what the papers said of him, though he left, he was thankful to say, no *creditors* among the savages. They will soon exhaust their bitterness. Good-bye, dear Mamma. Love to the household.

Your affectionate daughter,

JULIA.

P. S.—I am going this morning to attend a meeting of the ladies of the county, who are assisting the volunteers as far as they can.

RICHMOND, June 16, 1861.

I rejoice in an opportunity to write you through the kindness of a gentleman who has some means of communication with Baltimore. The convention met again on the 12th, and I accompanied the President up. Shall return home on Tuesday. In the meantime the children left behind are in good hands. Mrs. R. Tyler and family of four children are at Sherwood. Gardie is with me here enjoying the military excitement, and Julia is at Mrs. Pegram's. All are well. You have heard of the battle in the vicinity of Hampton and Bethel (that is around the location of Bethel church). The fight on the Southern side was more wonderful than the taking of Sumter—only 1,100 troops (eleven hundred) were there, eight hundred of whom were engaged against a force of Northern troops amounting to four or five thousand; but *one* killed and four slightly wounded on the Southern side; loss larger on the other. How can it be otherwise than that? The hand of Providence should assist this holy Southern cause. The Northern papers give garbled accounts, but *this* is the true statement. Hampton and the vicinity have suffered all sorts of depredations from Lincoln's army—inoffensive people, and their private residences have been disturbed in every possible way; but the Villa I hear has been treated with more respect as yet.

More and more we have the *realization* of war; from day to day the people, the entire people, are making up their minds to it, until every family of high and low degree are seeing their male members don the soldier's dress and shoulder their musket to go forth for the protection of their invaded firesides. It makes the heart beat and the eyes fill to witness such noble resolution and bravery on the part of all, but in particular on the part of those who, bred in ease and luxury, still cheerfully accept every and any hardship that comes with a soldier's life, whether as officers or in the ranks, for the latter are thick with accomplished gentlemen, than permit the unresisted invasion of their dearest rights. The men have become heroes—*all*, from youths of seventeen to those far advanced in years; but one common feeling swells their bosoms, deep indignation against those who should have been their best friends, and not their worst enemies. An unlawful war has been waged against them, and if the possession of every warrior trait will enable them to "conquer a peace," there will soon be one for us. Every way I turn I see

an acquaintance and friend, either in the flannel shirt of a private, or the braided jacket of the zouave, or the plumed cap of the calvary officer. It is women and children only that are not in arms *all ready* for a moment's notice. A large body of noble, brave Marylanders have found it impossible to *wait*, and have resigned with a feeling of relief their homes to *fight* side by side with their Southern brethren. By all sorts of stratagems they are slipping over fully armed, and joining their companions without delay.

Subjugate or *bring to terms* such a people! little do you *dream* at the North of what stuff they are made. Why, even Gardie and Alex.¹ mourn that they cannot at once be of them; they are *fired up* with enthusiasm for what they consider such a sacred cause as the defense of their soil from the wicked and cruel invader. It is a thrilling, melting sight to see the entrances into the city of troops by the trains from all parts of the Southern country, coming, as they appear to feel, to the *rescue of old Virginia*. The fatigue of travel makes no impression upon them, and they joyfully march off to their encampments, apparently congratulating themselves they are so near the scene of action. "Still they come." At church to-day Gen. Davis was introduced to me. He mentioned that Mrs. D. and himself would be to see me to-morrow. He is a splendid man, fine manners, and the bearing of one good and great. Gen. Lee called upon us after church; rather grayer than when I last met him some years ago, but still the elegant officer, looking animated and full of vigor. He spoke very calmly and indifferently of the desecration of his home at Arlington, and the flight of his invalid wife. She has moved out of the way of the enemy twice, and now she says *they will have to take her*—she will move no more. The General laughed, as he repeated what she said, but added, as her health was much affected by rheumatism, it was quite a trial to her to be deprived of her home.

And now adieu, dear Mamma. Continue perfectly at ease about me. All I ask is, take care of yourself, and don't get sick.

Your affectionate daughter,

JULIA.

[MRS. TYLER TO MRS. GARDINER.]

SHERWOOD FOREST, *July 24, 1861.*

You cannot think what a happiness your letter was to me yesterday. I had also received that one sent by express; but as I had written several times and you did not mention the receipt of one of my letters, I thought I would wait until I heard from you again before I trusted to any source. The notice you inclosed would avail *me* nothing. It could transmit letters *to* the seceded States, but not *from* them. A new advertisement has appeared in the papers

¹ David Gardiner and John Alexander, oldest sons of President Tyler by his second marriage, entered the Confederate army as privates at the ages respectively of sixteen and fifteen. The former is now a member of the State Executive Committee of the Democratic party, and practices law in Charles City. The latter died in New Mexico, in 1883, while pursuing his profession as engineer. He and his brother were students in Germany, after 1865, and Alexander served as *Ulan* in the German army during the Franco-Prussian war, winning the badge of honor from the Emperor.

of yesterday by which I see there is a promise of certain communication between the two sections. I enclose it. The President tells me to give you his best love, and say how much he admires you for the bright and intellectual view you take of things—*the only true view*—and all I have to say is, that those who take the opposite one have no conscience, or have never informed themselves upon the question.

Dr. Donnavant may talk *now* of the revival of feudal times, for never in the days of chivalry were there such knights as this infamous Northern war has made of every Southern man. Never was the thought of Union or of surrender farther removed from their bosoms. Nothing but evil has yet come of this war, and nothing but evil will come of it while it continues, unless it be of good to the South in uniting it in its one great resolve more thoroughly. You need never trust to Northern accounts of Southern defeat or conquest. Great conquest that of McClellan's to boast of, truly!—20,000 to 5,000; but I doubt whether another defeat against *any* odds will occur again—where every man falls two will rise in his place. What a brilliant victory for the South has been the battle at Manassas! I wish I could send you a true account of it as it is given in the Richmond papers, and by Gen. Jefferson Davis' dispatches. I see even the Northern account admits a terrible defeat, and great losses of all sorts. .

Your affectionate daughter,

JULIA.

CHAPTER XXII.

1861.

"Negro slavery, the vile pretense of which the South had been so long the victim—and no giddy-headed prince ever invaded his neighbor's dominion on falser pretenses than those on which we gave the South no rest—formed and left, after all the agitation of it, in the people of the non-slave-holding States a feeling as true to the slave-holders as to themselves; but instantly the cry was war when the affront came at Fort Sumter."—INGERSOLL'S *Fears for Democracy*, p. 219

THE WAR COMMENCED.—A WAR BETWEEN STATES.—COERCION NOT GRANTED THE FEDERAL GOVERNMENT.—MR. TYLER IN THE CONVENTION AND THE CONFEDERATE CONGRESS.—HIS ENERGETIC COURSE.—HIS RESOLUTIONS ON THE BATTLE OF BETHEL IN YORK COUNTY.—VICTORY AT MANASSAS.—PUT IN NOMINATION FOR THE LOWER HOUSE OF THE PERMANENT CONGRESS—HIS ADDRESS TO HIS CONSTITUENTS.—HIS LETTER TO GOV. RUTHERFOORD.—HIS ELECTION.

HOWISON'S History of the War, "barring" the fierce war spirit that spoils its pages, contains a very fine summary of the provocations incurred by the South from the North up to 1861. Ingersoll, a Pennsylvanian, and on the Northern side of the question, says that the firing on Fort Sumter "ended the first act of a long prosecution, in malignity not exceeded by any religious persecution, when we consider the deep feeling of wickedness and hate which inspired the originators of it—the old Abolitionists."¹ When the end was attained, immediately Congress adopted the famous resolution that "the present deplorable civil war" was waged in no spirit of oppression nor purpose of overthrowing or interfering with the rights or established institutions of the Southern people; "and it was a correct expression of the feeling of the majority" of the North in following Mr. Lincoln into war to vindicate the national honor because of the insult to the "flag" at Fort Sumter, no matter how necessary it was on the part of the South to prevent its reinforcement, or how sinister the course of the Federal administration in effecting that necessity. The quarrel

¹ Wendell Phillips thought that history would visit the Potomac "more kindly because John Brown had gilded it with the eternal brightness of his glorious deed than because the dust of Washington rests on one side of it."

of nations often turn on slight affronts, and a man in power, whom the nation dislikes, may bring about a case which will compel the people to follow him to war.¹

Virginia had endured the John Brown raid in 1859, wherein several of her most respectable citizens were murdered in cold blood.² She had endured the breach of the Constitution of the Governors of Ohio and Iowa in refusing to surrender fugitives from justice, regularly indicted for participation in Brown's murders and attempt to incite a servile war; she had endured the endorsement of the notorious "Helper's Book" by the prominent Republican leaders; she had endured the passage of the new tariff; but the proclamation of Lincoln calling for troops to wage war upon the cotton States was one step too far even for her love of the *Union*, sanctified by the sacred name of her Washington and her line of illustrious benefactors of it. The proclamation calling for troops to enforce the laws without an act of Congress, where no application had been made to the executive by the proper officer, was a usurped authority of the grossest character, and at once abrogated the ratification of the compact of union between Virginia and the other States, which provided that "the powers granted under the Constitution might be resumed," whensoever "any right of any denomination was cancelled, abridged, restrained or modified by Congress, by the Senate, by the House of Representatives acting in any capacity; by the President or any department or officer of the United States, except in those instances in which power is given by the Constitution for those purposes."³

Her ordinance of secession was followed by like ordinances on the part of North Carolina, Tennessee and Arkansas. But she had waited so long that Maryland, Missouri and Kentucky were seized before they could put themselves in line. The latter two became the scenes of civil strife. The wisdom of Mr. Tyler was again vindicated. This might have been obviated had the Virginia Convention adopted an ordinance of secession on the 1st of March, instead of delaying until the 17th of April. In that event there would have been ten times the pressure on Mr. Lincoln to keep the peace.

¹ See Ingersoll's *Fears for Democracy*, p. 218, *et sparsim*.

² Fontaine Beckham, Mayor of Harper's Ferry, was killed among others.

³ See ratification, Vol. i., p. 146.

It became immediately apparent how impossible it was to conduct such a war within the pale of the Constitution. That instrument never remotely contemplated a war of States upon States, a section upon a section. Why, the idea is a monstrous one, that Virginia representatives would ever have acquiesced in a power vested in other people to crush their own State. And how idle to talk, as Mr. George Ticknor Curtis does, of the power vested in the government to enforce its own laws as distinguished from coercion anticipating the action of the States. He admits that the Fathers carefully excluded from the powers delegated to the government the power of coercing a State, and yet contends for no limit to the employment of force upon individuals. Now, what is the truth of the case?

Under the old Articles, Congress had no power to carry out its own decrees. The States had to do so for it. Now, in this, some of the States, owing very much to the circumstances of the times, were decidedly remiss. So much so that the Virginia Legislature, in 1784, passed a resolution approving a power in Congress to seize upon property of delinquent States. It argued that no State should have the power to remain a member of the league without complying with its obligations,—a very sensible conclusion.

When, therefore, Randolph opened the pleadings in Philadelphia, he mentioned among the necessities of government a power adequate to secure the equable performance of the will of Congress to the extent of its delegated powers. The idea of a *distress* upon the property of the citizens of the various States was most ready to the mind. But even the strongest friends of the Federal government rejected it as *impracticable*. And the ground of the rejection was that its employment would lead to *civil war* or a *dissolution of the Confederacy*.¹ The alternative, then, of a power enforcing itself peacefully through the legislative, executive and judiciary directly upon the individuals was adopted.

And yet Mr. Curtis and Mr. Buchanan would have us believe that the very power that was adopted to avoid collision between the States and the Federal government gave the latter unlimited authority to push the people of the States to the wall. To what

¹ See Madison's remarks,—Elliott, v., p. 171. George Nicholas' remarks,—*Ibid.*, iii., pp. 242-'3.

other end could the exertion of the power lead in 1861 than to "civil war or a dissolution of the Confederacy,"—the very results deprecated by the convention and sought by them to be avoided by the insertion of a peaceful principle. To what other results did it lead in 1861 in case of Virginia, North Carolina, Arkansas and Tennessee?

The war was in fact a war between States in their sovereign capacity, having nothing to do with the Constitution, however much the North and South chose to follow the rules there incorporated for their own convenience. When necessity required it, each party had a right to depart from its terms. It was a war controlled, on the part of the North, (1), By considerations of interest; (2), By love for the Union; and (3), By resentment, engendered by long years of recrimination. On the part of the South, (1), By self-defense and injustice to its interests; (2), By love of local self-government; and (3), By resentment, caused by long persecution.

So far, however, the Northern writers will still insist on calling the war a "rebellion;" and in doing so they not only plunge the course pursued by the government at Washington during the war into a chaos of contradiction, but subject Mr. Lincoln and his supporters all to the very charges which they attempt to fix upon Mr. Davis and the South. It is in vain to invent the fiction of "war powers" in the face of the express provisions of the Constitution. If the old Union still existed after 1861, Mr. Lincoln was a worse "rebel" than Mr. Davis, for he deliberately and designedly opposed the operation of the Constitution while professing to uphold it under his oath of office, whereas the latter claimed at least to have absolved himself from it. On the other hand, the action of Mr. Lincoln, proceeding under the tacit consent of the Northern States as States, is intelligible, and justifiable as necessary.

Let the reader reflect upon the subject. The President could not declare war against a foreign power, but he could precipitate the country into a civil war that would eclipse all foreign wars! The Constitution declared that the ports of one State should not be favored over those of another; and the people of New England complained bitterly of the embargo in Jefferson's time as unconstitutional, because it closed the ports of the country instead of "regulating the trade;" but the prohibition was uniform, while

the blockade of Mr. Lincoln in 1861, without even the authority of Congress, was flagrantly partial. The Constitution plainly intended to preserve to Congress the power to suspend the *habeas corpus*—the great writ of personal safety. Yet Mr. Lincoln's word suspended it; and he snapped his fingers in the face of the brave Chief-Justice Taney when he called upon him to enforce the processes of the court in the case of a citizen arrested by the military in Maryland, which was not in "rebellion." The New York *Tribune* advised that the Chief-Justice should be arrested and imprisoned. The Constitution guaranteed to each citizen the right "to keep and bear arms," to be "secure in his effects against unreasonable searches and seizures:" and when accused of a crime "to have the right to a speedy and public trial by an impartial jury of the State and district wherein the crime shall have been committed." Nevertheless, the citizens of Maryland were deprived of every weapon; a vigorous system of searches was instituted throughout the North by officers without warrant, and hundreds of citizens of the free States were summarily snatched from their homes, and locked up in distant forts on barest suspicion. The papers were put under a rigorous system of surveillance. Congress, in the face of the provision in the Constitution which required the delivery of captive slaves, passed an act forbidding the same. In a word, powers were assumed which, under the old Union, made Mr. Lincoln and his advisers fit inmates of the penitentiary, but which, if viewed as the acts of States fighting against other States, were excusable in some measure as dictated by necessity.¹

Mr. Tyler served steadily in the convention, until its adjournment in December, 1861, while at the same time he discharged his duties with untiring efficiency as a member of the Provisional Congress of the Confederate States, to which, on the removal of

¹ Governor C. S. Morehead, of Kentucky, wrote to John J. Crittenden: "You doubtless know the circumstances attending my arrest. Dragged out of bed, after midnight, by the marshal of my own State, with a band of sixteen armed ruffians, with a warrant charging me with giving aid and comfort to the enemy, I was forcibly carried across the Ohio river, in utter disregard of his duty and his official oath, and from thence, either by executive or ministerial decree, stigmatized without a hearing as 'bearing the mark of public execration.' From the day of my transfer from the hand of law to that of oppression I have been confronted with no charge, and I declare solemnly that I am utterly ignorant of the charge against me."—*Coleman's Crittenden*, ii., 333.

the capital from Montgomery to Richmond, in May, 1861, he was elected by the *unanimous* vote of the convention. The debates in Congress were secret, and hence his speeches there have not been preserved. He was constantly urging upon the government authorities a course of prompt and vigorous action.¹ He had long ago recognized that the war was one to the knife, and having played the part of peacemaker, had done his best to have the State prepared. Even after the ordinance of secession, the "Union men," who constituted the majority in the convention, were dilatory and lethargic. Mr. Tyler urged that a strong body of cavalry should be immediately sent to Washington to seize the capital.

The Virginians were famous as horsemen, and the movement could be made so rapidly and in such force that success was certain. The Southern States were as much entitled to it as the Northern; and so in respect to the navy and army, they had a right to their share, and just cause to resist, if they chose, the usurpation of the whole by the North. But the *kakothēs loquendi* had taken possession, body and soul, of the majority, and they refused to make the first aggressive act, notwithstanding the war proclamation of Lincoln, and the gathering from all quarters of the Northern troops. Even after the 27th of April, when Mr. Lincoln extended the blockade to Virginia, they had to wait for the popular vote on the ordinance of secession. In vain Mr. Tyler showed them that, even under the old Constitution, the State had the right of self-defense; that the people had contemplated a time of peace, and that their ratification had been given in the most positive form already. It was no use. Mr. Tyler's advice was disregarded, and on the 23rd of May, the very day the people

¹ A very popular article in the *Examiner*, called the "Animals in Council," written by Mr. Edward Lorraine, which appeared in March, 1861, and which represented the prominent members of the convention under the names of animals and birds, etc., thus referred to Mr. Tyler: "An old Eagle, from Charles City, said that he had once been King himself, and if the Orang Outang only knew as well as he did what were the cares of office, he would be glad to return to his native forest. He had lately flown over the enemy's camp, and had done his best to avert the calamity of war, but it was of no avail—they would listen to no compromise. He hoped that Virginia would not listen to the siren voice of the submissioners. Our only hope is stern resistance. He was old, but ready to fight, and, if necessary, to lead the van."—*Richmond Examiner*, March 19, 1861.

adopted the ordinance of secession,¹ the Federal troops crossed the Potomac, and took possession of Alexandria.

Another idea of Mr. Tyler's,—whether practicable or not, I will not undertake to say,—was for the Southern States to adopt the name and flag of the old Union. This would be fighting in the Union without any involvement of the vice of nullification which attached to Henry A. Wise's theory, and which, strange to say, Mr. Wise does not seem to observe in his *Seven Decades*. The Northern Confederacy acted with good effect on the same line of thought in setting up a separate government in Virginia, and finally dividing the State.

After the invasion of Virginia the sentiment of the State was well expressed in the reply of Col. John B. Baldwin to a prominent Northern politician, who wrote to Col. Baldwin to ask: "What will the Union men of Virginia do now?" He immediately replied: "*There are now no Union men in Virginia.* But those who *were* Union men will stand to their arms and make a fight which shall go down in history, as an illustration of what a brave people will do in defense of their liberties after having exhausted every means of pacification."

After the victory at Bethel, in the county of York, Mr. Tyler introduced, in commemoration of the event, the following resolutions in the convention, which were adopted with "enthusiastic unanimity:"

Resolved, That this convention has heard with high satisfaction of the brilliant victory recently obtained by the combined forces of North Carolina and Virginia at Bethel, in the county of York, the first regular conflict between those who, under usurped authority, have invaded our soil and the brave defenders of that soil, and it being altogether appropriate that our troops should receive a suitable meed of applause for their gallantry and good conduct;

Be it therefore resolved, That in the name of the people of Virginia, this convention expresses its high admiration of the gallantry and good conduct of the officers and men engaged in the battle of Bethel on the 10th instant, where they repelled and put to flight more than *four* times their numbers;

Resolved, That the conduct of Col. John B. Magruder, the commander of

¹ "The people of Virginia ratified the ordinance before the convention passed it. The State of Virginia seceded long before the convention found it out. That body did what it did because the will of Virginia was thundered in its ears. The ratification by the people on the 23rd of May is a mere formality. There is but one opinion now in this State." *Richmond Examiner*.

the Confederate forces, of Col. D. A. Hill, the commander of the North Carolina troops, and of the officers under their command, evinced in the opinion of this convention high military skill, united to unshrinking valor;

Resolved, That copies of the foregoing resolutions be forwarded to Col. Magruder, with the request that he will cause the same to be publicly read to the troops under his command.

Soon after this occurred the brilliant victory of Generals Beauregard and Johnston at Manassas. The war assumed each day more and more gigantic proportions; but the year closed to the great honor of the Confederate cause.

The Republicans had boasted about reducing the South in *sixty days*, and the same inability to judge the South correctly had marked them in every other matter. Taking the purest sensational facts, they had gone on building up all sorts of dishonest theories as to the character of the Southern people and their means of resistance. They knew as little about the Southern people as they did about the people in Kamschatka, and yet never tired pouring out of the press learned dissertations on their own excellence and every body else's inferiority. Half their alleged facts were false, and the other half led to no conclusion at all.

In this instance the "sixty days" lengthened into four years; and many a time did the heart of Mr. Lincoln, propped as it was by a force accumulated by the joint efforts of the country through seventy odd years, sink over the issue, precarious as it was. The seventy-five thousand men first called for increased to millions; the seventy-five millions of dollars first estimated as the cost of the war leaped to billions; and at length the South fell. But a war equal to this in intensity and ferocity had never before been waged by two independent nations. It was a war fought by the South for existence; by the North under the conviction that, should it fail, its wealth would depart like a dream.

I leave it to other pens to go into the *minutiae* of the awful history of these days. My narrative carries me but a short distance further, and what I say must be done cursorily.

As Mr. Tyler, alone among the politicians of his day, had preserved and maintained his consistency throughout his career on all the questions of economic concern, like the tariff and the Bank, so with reference to his action in the State convention, his course was remarkably in unison with his previously oft reiterated public

opinions. In General Jackson's day, when his solitary vote was recorded against the Force Bill, he pronounced the Constitution an international compact, and the Union to be a league. Some signed the ordinance of secession who had contended all their lives against the right of secession, and excused themselves under the plea of revolution. But, according to them, revolution was justified by success alone, and hence, when the Southern Cross went down, logic demanded, even if Mr. Lincoln in his kindness did not, that every man of them should go off and hang himself. Mr. Tyler, had he lived, would have been saved from this self-stultification.

Mr. Tyler, while still serving as a deputy in the Confederate Provisional Congress, was induced by the urgent clamors of his friends to offer himself as a candidate for the House of Representatives of the permanent Congress. Two very prominent and popular gentlemen, James Lyons and William H. Macfarland,—both devoted personal friends of Mr. Tyler, both Whigs, and the latter one of the "old line" order,—announced themselves as candidates for the same seat, and in a district which had long been Whig. Each issued his address, and the following is Mr. Tyler's:

To the people of Charles City, and the other counties and cities composing the Third Congressional District:

The resolutions adopted by the people of Charles City on Thursday last, expressive also, as I have reason to know, of the wishes of many citizens in other portions of this congressional district, are highly appreciated by me, and are entitled to a frank and candid reply. The times are full of peril and of profound interest. A government composed of States whose separate independence and sovereignty was acknowledged by the Treaty of Peace of 1783 (the said treaty being made with each State separately by name, and with all collectively), is now claimed, in opposition to the unobscured lights of history, to have been popular in its origin and altogether so in its construction and operation. This doctrine, as if to make it more flagitious, is asserted by the man who was elected to his high office by the votes of States as States, conferred by their several electoral colleges, and who wanted nearly a million of votes of the people to constitute a popular majority. This is doubtless done to impress the world with the belief that the Southern States have been and are guilty of a most base and infamous revolt, and at the same time to induce the misled masses of the Northern people to maintain in power the unprincipled Catalines who, for long years, for their own emolument, have stirred up the bitter waters of hatred and ill will on the part of the North against the South. That government, a mere agency of the States, whose territorial possessions, as if to indicate its true character, were limited

to an area of but ten miles square, created by the States, each acting separately and for itself, is now, without the shadow of right, seized upon by States composing a section, and is made to war upon a part of its principals, who have quite as much right to annul it as others to perpetuate it.

If Virginia or her co-States have broken their compact or covenant, then let the offended or injured States avenge their wrong, not through the agency created by all for all, but in their character of sovereigns, through their own means and appliances. Massachusetts, forsooth, undertakes to preach to Virginia long homilies upon constitutional obligations, and sends her armies to enforce her teachings upon us. And even Rhode Island, of whom we had hoped better things, who stood out two years before she would give her assent to the agent government, now, under the lead of her wealthy manufacturing governor, who is still anxious, doubtless, to fill his coffers to further and greater repletion by high taxes on imports, sends the *élite* of her people with splendid batteries of artillery to crush out rebellion in Virginia. It looks rather unseemly that a State which, in 1812, did not believe that she could constitutionally send her militia beyond her State line to repel an invasion of other States by a foreign power, with whom the then United States were at war, should now, all of a sudden, come to the conclusion that there was no constitutional barrier in her way when the conquest and subjugation of a once sister State was the game on foot; or that another, who could not adopt the government, from extreme aversion to it, for two whole years, should so have fallen in love with it that she sends forth her armed brigands to assist in crushing the State which originated, but who has become heartily disgusted with it, because of its perversion from its original objects into an engine to be used by a majority section for the oppression of a minority. These demonstrations are accompanied, on the part of the agent government, by proceedings gross, tyrannical and revolting to all who have heretofore worshipped at the now desecrated shrine of public liberty.

It was once fondly believed that there were certain great principles which the Revolution in England of 1688, and our ever glorious Revolution of 1776, had canonized and rendered sacred; but we live to see the day when those principles are derided and trampled upon. In vain does the victim of oppression demand, in the language of our Bill of Rights and of the Constitution, a fair and impartial trial. In vain that he invokes the principles of *Magna Charta*, which are as dear to him as they were to any lordly baron at Runnymede or any Englishman since. In vain that he appeals to the judges and the courts. The venerable Chief-Justice,¹ in his attempt to restore the reign of the law and the Constitution, is mocked at, and his authority despised. A provost marshal usurps the place of the judge, and some unfledged general announces an irreversible decree of banishment or imprisonment. Equally vain that the citizen claims his house to be his castle. Armed men, without authority of law, arouse him from his slumbers at midnight, and hurry him away from home and family, to be immured in gloomy and distant dungeons; the freedom of speech and of the press, along with the freedom of elections,—the guardians, as heretofore fondly supposed, of public freedom,—have been

¹ Roger B. Taney.

crushed out; legislatures are dispersed, their members consigned to prisons, and those citizens who have had the nerve to write or speak a word in opposition to such galling tyranny are to be found immured in modern bastiles, where no ray of light emanating from mind or conscience is permitted to enter.

Such is in brief the night of despotism which now holds its gloomy reign over all the North. Those very people who basely submit to a despotism so unrelenting and cruel invade our soil without a shadow of right, and declare it to be their purpose to force us back into a union which they have destroyed, under a Constitution which they have rendered a mockery and made a nullity. Dream they of the blood that flows in our veins, derived from a glorious ancestry, when they talk of subjecting us to the same tyranny to which they themselves are even now subjected? A renewal of their acquaintance with our history would instruct them to regard our subjugation as a day dream, and nothing more. That history will inform them that this noble old State, through nearly three centuries of existence, has in no instance yielded to force or coercion. Unless I overestimate the character of her people, they would sooner, to use the language of an Irish patriot, "raze every house, burn every blade of grass, and make the last entrenchments of liberty their graves," than submit to the wrong and oppression with which they are threatened. Formidable armies are sent to crush her proud spirit and to impose manacles on her free limbs. Through a great misapprehension, as I think, of their duty, but as they conceived, in a lofty spirit of honor, our naval officers resigned the ships which they commanded at the time of resigning their commissions into the hands of Northern officers, who carried them into Northern ports. Thus have we been deprived of our just proportion of a navy which our means assisted to build, and which is now to be used in efforts to ravage and plunder our coasts, and burn and destroy our cities. Surrounded thus and threatened thus, I hold it as an axiom that no man is at liberty to decline any position which the State or its people may, by their unsolicited suffrages, confer upon him. For myself, while I seek nothing and aspire to nothing, I will decline no service which Virginia, or any portion of her people, may require me to render. If, then, the people of this district shall elect me to Congress, I shall accept the station, and devote my best energies to a successful termination of the war, and to advance the permanent interests of this great, and, as I doubt not it is to be, victorious Confederacy of States, under whose parental sway I wish, for one, to live and die. If, however, either of my distinguished friends—for each of whom I entertain the highest regard—who have been announced as candidates shall be elected, I shall be quite content, and shall give to his useful and patriotic labors in the holy cause that engages us my most hearty applause and approval.

JOHN TYLER.

During this canvass the papers were filled with laudations of Mr. Tyler from the pens of many of the most distinguished men in the State. A reply of his to ex-Governor John Rutherfoord lies before me:

[To JOHN RUTHERFOORD.]

SHERWOOD FOREST, Nov. 1, 1861.

MY DEAR SIR: Your letter has been duly received, and I have read with the highest pleasure your article in the *Enquirer* of the 29th October. It does me full justice, and is the more agreeable to me as proceeding from one whose past life has been without reproach of any the slightest kind, and whose name is everywhere and by every person repeated with honor. I know not what will be the termination of the approaching election. My own motives are faithfully set forth in my card to the public. At my time of life, with all my personal surroundings, the place of ease and comfort would be my own fireside; but when I look to the condition of the State, and how greatly she is threatened, I can take no counsel from my own desires, remembering that on another occasion even the "widow's mite" was esteemed the most valuable. So I feel that I have no right to withhold any particle of service from the public cause which others may esteem me capable of rendering.

Express to Mrs. Rutherford my constant and most sincere regard, and believe me to be always, most truly and faithfully, your friend, J. TYLER.

Mr. Tyler was one man at least whom the office had sought, and who had not sought the office. To the last he never stretched forth his hand for any office, nor entered into a political intrigue in his life, but received ever the rare and exalted reward of "*his faithfully discharging the duties of the position in which he might be.*"¹ He staid quietly at home during the canvass. Early in the morning after the election a man came dashing on horseback from Richmond, bespattered with mud, and asked for Mr. Tyler. Upon his presenting himself, the man leaped from his horse, and in a paroxysm of joy seized him by both arms, and said: "Mr. President, you are elected, sir! you are elected!" And sure enough he was; for Mr. Tyler's vote was nearly twice as great as the combined vote of his two opponents.

¹ See *ante*, page 13, note 2.

CHAPTER XXIII.

1861-'62.

"And President Tyler is no more on earth. He died after a very brief illness. There was a grand funeral, Mr. Hunter and others delivering orations. They came to me, supposing that I had written one of the several biographies of the deceased which have appeared during the last twenty years. But I had written none, and none published were worthy of the subject. . . . His history is yet to be written, and it will be read centuries hence."—*A Diary of a Rebel War Clerk*, p. 110.

SICKNESS AND DEATH OF MR. TYLER.—HONORS TO HIS MEMORY.—INTERRED AT HOLLYWOOD.—ROBERT TYLER.—HIS LETTER TO PRESIDENT BUCHANAN.—HIS DEATH.—GOV. LINDSAY'S TRIBUTE TO HIS MEMORY.—THE AUTHOR'S PARTING WORDS.

MR. TYLER, however, was not destined to take his seat in the permanent Congress of the Confederate States. His end was drawing near. "The gods loved him too dearly to allow him to taste the ashes of subjugation." He died "in hope," and was never forced to see the "gaunt and horrible form" of that despotism of sectionalism which preyed for twenty years on the Constitution, rights, laws, and liberties of the Southern States. He never saw his dear Virginia reduced to "Military District No. 1," governed with refined cruelty by the worst adventurers of the North, and men but recently slaves, under the suggestion of a military dictator. He never saw his State *taxed* for five years, from 1865 to 1870, and denied even the shadow of representation in Congress. His eyes were never appalled at seeing Blair, Seward, Greeley, Chase, and all the "stiff-backed" of 1861 sickening by the way at the sight of a new set of rulers who bravely glutted their vengeance on the prostrate South. Thank God, he was saved this spectacle! He died when the Ancient Dominion stood proudly erect as she saw the hosts of the invader driven across the Potomac, in disgrace and utter route, from her sacred soil—
VIRGINIA VICTRIX!

At fifteen minutes past twelve o'clock at night, on the 18th of

January, 1862, at the Exchange Hotel, in the city of Richmond, "after a short illness," says the loving Wise, "in the full possession of his mental faculties, conscious that death was near, calm and collected, he bade this world farewell, and departed this life with dignity and without fear, perfectly composed, a firm believer in the atonement of the Son of God, and in the efficacy of his blood to wash away every stain of mortal sin.

"He was by faith and by heirship a member of the Episcopal Church of Christ, and never doubted Divine Revelation. He was an honest, affectionate, benevolent, loving man, who had fought the battles of this life bravely and truly, doing his whole great duty without fear, though not without much unjust reproach; with a genial soul, glowing with good will to man and reverence to God, and so righteous that his worst enemy on earth might well pray, 'Oh that my latter end be like his!'

"He had forgiven all his foes long before he died, and did them more than justice whenever he spoke of their despicable usage to him. In the last scenes of our intercourse with him in the convention which declared secession, he passed in that body a eulogy on Henry Clay, so undeserved from him upon one who had, in the Senate of the United States, so fiercely denounced him, that we could not refrain from reproaching him privately for uttering even what was truthful in the encomium. But for this charity and this forgiving temper and disposition he was richly and rarely rewarded. No man in all history ever so outlived calumny and all enmity of others as he did. When he left his fellow-men he left nothing in their hearts and memories but admiration and veneration of his character, and the remembrance of the good deeds he had done. And his good deeds were not 'interred with his bones.' They are now living in the policy his presidency pursued."

The eulogy pronounced by Mr. Tyler on Mr. Clay in the convention was suggestive of his whole course. Though in favor of secession after March 1st, he never allowed passion for one moment to bias his judgment against any man or any measure, and on many an important occasion took the side of the Conservatives against the sometimes mistaken zeal of those who rightly believed the hour required *action*. Thus when, in March, 1861, Wise, Eppa Hunton, George W. Randolph, Angus R. Blakey,

Jeremiah Morton and others, while the Peace Conference propositions were pending before the convention, declined to vote in favor of the resolution of thanks to Mr. Crittenden for his efforts in favor of "a just and honorable adjustment of our national difficulties," unless the resolution was amended by another, "that the convention does not mean merely to *approve* or *disapprove* of the measures proposed by the Peace Conference." Mr. Tyler voted against the amendment; and in his speech against Sumner's, two days after, opposing the same propositions, passed a high compliment on Mr. Crittenden—"aged now, a student at William and Mary when I was there as a Grammar boy, with whom I had the honor of serving in the Senate of the United States and elsewhere, who was for a time in my cabinet, and whose loss I regretted upon his voluntary retirement."

He was always prepared for concession on questions which involved no sacrifice of principle. "None of us," says Mr. Venable, in the eulogy that follows, alluding to the secret proceedings of Congress, "have forgotten the Roman dignity with which he changed his vote upon a great measure, in order that the law might go forth to the country with the prestige of unanimity."

Hon. Lewis E. Harvie, of Amelia county, writes the author the following letter descriptive of Mr. Tyler's characteristic generosity:

CHULA P. O., May 15, 1885.

MY DEAR SIR: I regret that I am unable to give you the information you wish. Your honored father, my *friend*, and myself were on the commission to treat with Mr. Stephens, and the whole committee were unanimous, and reported in favor of uniting under one government with the other Confederate States. *Who* prepared the report I have forgotten. I regret that I cannot give you the information.

I esteemed your father as highly as any man I ever knew. I may say that I reverence his memory. He had the entire trust and confidence of every member of the Virginia convention, and exercised and wielded more influence and control over its deliberations and acts than any man in it. He won its confidence in a speech in reply to Mr. Sumners, who made a report of the proceedings of the "Peace Congress" held in Washington, and secured the admiration and confidence of the whole convention, when he was so weak that he could speak only at intervals and the convention adjourned again and again to hear him. His influence, and, I may say, control, over the convention, during its whole term, was irresistible. It would be a labor of love to recite to you evidences of the esteem in which he was held, and the estimate placed on his patriotism and love of Virginia, by men of all parties, however conflicting and diversified and distinct their views and sentiments.

I recollect one among other occasions when he changed by the force of his eloquence and patriotism the action of the convention by a defense of General Scott and Mr. Clay, who were assailed; and how he triumphantly carried the proposition through the convention (almost by acclamation) to invite General Scott to come to the rescue of *his* State. It was the most masterly and triumphant appeal to which I ever listened, and left us who opposed it in a minority of sixteen, all told. General Scott and Mr. Clay were both Virginians, and, while he had differed with them both, they had reflected honor and lustre on her, their common mother, and he made an appeal to the convention of Virginia that electrified the whole body.

He was subsequently elected to the Confederate Congress, almost by acclamation, over two of the ablest and most popular men in the Richmond district, after he had been subjected to obloquy and vituperation for strangling the Bank of the United States and admitting Texas into the Union. His devotion to Virginia and her confidence in him were commensurate.

Such and so sincere was my appreciation of his character, and the estimate that I placed on his valuable and brilliant career that characterized his public conduct, that I invariably paid my respects to him as soon as he took his seat in convention.

It gives me pleasure *now* to recur to my past intercourse with him. I trust that his son will ascribe the prolixity of my reply to the sincerity of my esteem for one who loved and was beloved by Virginia with equal fervor.

Respectfully and truly yours, LEWIS E. HARVIE.

Lyon G. Tyler, Esq., Richmond, Va.

And how completely his patriotism and character appeared acknowledged by all in this hour of Virginia's peril, it is only necessary to say that the old Whig statesmen in Virginia were among his warmest friends. A. H. H. Stuart, Summers, Baldwin, Macfarland, *men true as steel* to Virginia,—knew him no longer as a party-man, but realized that his whole life had been a consistent struggle for principle. Mr. Wise gives a beautiful anecdote of Mr. Tyler and Col. Baldwin. Baldwin was brother-in-law of A. H. H. Stuart, and the son of Mr. Tyler's room-mate at William and Mary College,—Briscoe G. Baldwin, a judge for many years of the Supreme Court of Virginia. Mr. Wise says:

His (Baldwin's) politics differed widely from Mr. Tyler's. Mr. Tyler from his youth up was a Democrat of the order of Jefferson, whilst Judge Baldwin had educated his son in the ultra school of Alexander Hamilton. He abided not any school or schoolmen of Democracy; was opposed to secession; was for peace, or prevention of war, on almost any terms; made a speech for which he was crowned by a Boston woman with flowery wreaths as the champion of the Union in the convention; and uttered sentiments and arguments which bound him, it was thought, on principle, to unite himself with

the Northern cause against his native valley land of Virginia. He especially opposed Mr. Tyler's views on the report of the Commissioners of Virginia respecting the results of the Peace Conference at Washington. His Whig prejudices, indeed, against Mr. Tyler, for long-past bitterness of his party, for reason of his Bank vetoes and other matters of difference, kept him aloof from his society. He had avoided personal contact with him. But at last the ladies of the two houses met at the hotel where they messed and brought them together. Mr. Tyler had observed Colonel Baldwin's avoidance of him, if not his aversion to him; and one morning he walked up to him, and drew a paper from his bosom and asked him to read it. It was a letter to Mr. Tyler from Colonel Baldwin's father, written late in life. It proved that Judge Briscoe G. Baldwin knew, loved and honored John Tyler, and it subdued the son's aversion, and made him honor and respect the man of whom his honored father was proud to be a friend.

His death was a severe blow to the success of the Confederacy. In Congress and in the convention he was exhaustless in his suggestions, scarcely ever absent from his post as a member of either body, prudent yet bold, conciliatory yet firm and unbending; now encouraging the young men who crowded to see him, now soothing the disappointment of the aspirant for office, now appeasing the jealousies against one another of rival officers under the government, exhorting the generals and troops to duty, urging by day and by night the vast preparations of war; to all that surrounded him, whatever their old party-affiliations true to the motto that had ever regulated his conduct, "still in his right-hand carrying gentle peace;" his whole soul given to the defense of his State, his country, and concentrated against one object—the *enemy, the invader, the despoiler of the sacred land of his ancestors*; in a word, reaching, according to the evidence of all, far above and beyond in the intensity of his patriotism, the unselfishness of his behavior, and the wisdom, ability, and sagacity of his views!

Mrs. Tyler thus gives the details of his last hours:

"It was through a singular dream I had that I came to Richmond in time to be with Mr. Tyler during all his illness, which ended with his death, January 18, 1862. He had gone on before, in his usual health, and I was to follow with the baby, Pearl, for a stay of a few weeks, after visiting my friends at Brandon and Shirley on the river, which I intended should consume at least a week; but I awoke the morning I had proposed to leave with a troublesome dream. I thought I had risen to dress, but on looking back to the bed, observed Mr. Tyler lying there, looking pale and ill. I remarked it to Nancy, the maidservant, who had come in to assist me in dressing. It seemed he heard me speak, and said: "Are you awake, darling; come and

hold my head." My feelings were so sad that he should have waited until I awoke before telling me he felt ill, that I really awoke, much distressed, and as I did so, Nancy entered the room, and warned me it was time to dress for the boat. I surprised her by saying that I intended going right on to Richmond, without stopping anywhere on the river, and narrated my dream. She knew I had looked forward with pleasure to making the visits to my friends, and begged I would not be influenced by my dream, saying: "You know, mistress, dreams always go by contraries;" but none of the family could dissuade me from going direct to Richmond; and so, with old nurse, Fanny, and the baby, I arrived at the Exchange Hotel on Friday, January 10th, after dark, and entirely unexpected. On alighting from the carriage, I was recognized by Col. Edward C. Cabell, who assisted me. My first enquiry was in regard to the President, and my anxiety was allayed on hearing he was quite well. He said I was taking my husband by surprise, as he had just left his room, and heard from him that I would not be in Richmond for some time. He proposed to go in search of him, as they had left his room together, and had parted at the reading-room. I knew the location of his room, and said we would await him there. In a few moments I heard his hurried steps on the bridge, which, you know, joins the Exchange to the Ballard House. The baby clapped her little hands on seeing him. As he took her from the nurse he said, gleefully, "I really believe she knows me"—he had been away from her two or three weeks; and then he wanted to know what all this change in my plans, since my letter of the day before, meant. I told the dream, which quite amused him. The next day, the parlor was filled with our visitors, and all were remarking on the health and cheerfulness of the President. Mr. Boulware said to him, "how becoming is your new suit!" The President laughed heartily, and replied, "I wear it in honor of my wife's arrival; but I had always thought until now that there was no use in my having a new suit of clothes, for no one ever noticed it." That night (Saturday), I awoke in the night suffering from headache. The President placed his hand on my head, and said "your forehead is so cold; shan't I send for the doctor? You see your dream is out; it is *your* head that *I* am holding, and not you mine." I asked for morphine. He arose, weighed some, and gave it to me, and very soon I was entirely relieved. The next morning when I awoke, quite early, I observed him standing before the fire nearly dressed. Then he said, "your dream now is out, for I believe I have had a chill, and I have determined to go down to the breakfast table and take a cup of hot tea." I begged he would have it sent for, and lie down again; but he preferred to go for it, and so I, not thinking his illness was serious, remained where I was, to sleep off the effects of the morphine. I was aroused by the entrance of the President returning, and alarmed to see him with collar open, and cravat in hand. He exclaimed, "I would not have had it happen for a great deal; it will be all around the town!" and then went on to tell me he had risen to leave the table, staggered and fell. He was lifted and carried to the parlor, where, lying on the sofa, he recovered consciousness, and then insisted upon coming alone to his room, lest I should be alarmed. His friends began surging into the room before I could rise to attend him. They were

very solicitous, and extended him on the sofa; but he assured them he was better, and would send for his doctor, and then he could not help relating my dream, saying, "her dream is a true one, and I leave my wife and her children to God and my country." The gentlemen left the room, expressing wishes soon to hear from him, and to be of service. Dr. Peachy arrived, and pronounced his case a bilious attack, united with bronchitis, as he was soon troubled with a cough. He did not take to his bed entirely, and desired to receive and converse with the friends who called upon him; but as his symptoms did not improve, and he had much headache, his physician insisted he should go home and have perfect quiet for a few days, for his mind was constantly exercised over the situation of the country, and he could talk of little else, except to express such tender love and anxiety for his family. How I will treasure all his loving expressions! The doctor gave him a morphine mixture for his cough, which soothed it, but caused him to make wandering remarks when half asleep.

"Mr. Rives had an interview with him on Thursday (the 16th) in regard to his son residing in New York, whose property he feared might be in danger of confiscation. He took occasion to request that Mr. Rives would ask the permission of Congress to his absence for a few days, according to the wish of his physician. He was always so scrupulous in his obedience to rules. He said we would go to Sherwood on Saturday; but alas! on Friday night, just after he had retired to bed, expressing the hope that he was better, and would have a good sleep, and had slept for an hour, he suddenly awoke with a feeling of suffocation, which immediately aroused me. Robert Tyler, who had determined to spend the night, and be of any assistance if needed, and had arranged himself to sleep upon the sofa, hastened for Dr. Brown, whose room was upon the same floor. By my side of the bed was a cot for the baby. He threw himself across to it in his restlessness, which awoke the child, who whimpered a little. He raised himself up, saying: "Poor little thing, how I disturb her," and laid back on his pillow. I bathed his head and chest with spirits, while the nurse hushed the little one. He asked to have her brought to him that he might kiss her. Dr. Brown came in without delay, and prescribed mustard plasters and brandy. The President said: "Doctor, I think you are mistaken," but took the stimulant. Dr. Peachy entered, to whom he said: "Doctor, I am going." Dr. Peachy answered: "I hope not, sir." The President added: "Perhaps it is best," (his last words). I held again the stimulant to his lips; his teeth chattered on the glass; he looked forward with a radiant expression, as if he saw something to surprise and please, and then, as if falling asleep, was gone! The bedstead on which he died was exactly like the one I saw him upon in my dream, and unlike any of our own.

"So passed the strong, heroic soul away."

On Mr. Tyler's decease the Legislature of Virginia took prompt and impressive action. Glowing eulogies were passed upon him on Saturday, the 18th, in both Houses, and the following preamble and resolutions unanimously adopted:

The mournful intelligence of the decease of John Tyler, after a brief illness, has cast a gloom over this General Assembly. The sad news will spread throughout his native State with painful effect. It will be heard throughout the Southern Confederacy with deep and abiding sorrow. He has filled a large space in the history of his country. Heaven has blessed him with length of days, and his country with all her honors. He has secured, we believe, a blissful immortality.

For the page of history his fame is destined to occupy, it is proper briefly to recount the many offices he has filled. From youthful manhood to green old age he has served his country faithfully, as a member of the House of Delegates, where his ripening intellect displayed the promise of usefulness and attracted attention; as a member of the Executive Council, where his wholesome advice lent wisdom to authority; as the Governor of this Commonwealth, where his administrative powers gave efficacy to law, and his execution of the will of the people expressed by their representatives was rendered pleasant by kindness and courtesy; as a member of the first convention called to amend the State Constitution, in which body his ripened experience gave his counsel the force of wisdom and prudence; as a member of the House of Representatives of the United States, standing firm amid the rage of party spirit, and remaining true to principle and to right; as a Senator representing this State in the Senate of the United States, in which he shone conspicuous for his strict adherence to constitutional obligation and for his manly defense of the rights of the States and the honor of the country. As Vice-President of the United States, presiding over the deliberations of the Senate with dignity and impartiality, preserving the decorum of a body that then was a model for legislative assemblies; as President of the United States, when the national honor and reputation were acknowledged unimpeached and unimpaired in every land, and the powers of the earth looked up to the new government as an exemplar of morals and of power worthy of respect and imitation. He thus, step by step, ascended to the eminence from which he surveyed his country, peaceful and glorious, and calmly retired in dignity to a private station, happy in the contemplation of a bright career, happy in a refined and prosperous home, happy in the circle of family and friends.

His State called him again into her service. She was to be assembled in convention to resist oppression, and to withstand a galling tyranny against which her best men chafed. His services were invoked to aid in maintaining the high position she had heretofore occupied. He came from his retirement. He advised separation in peace, or war to vindicate her honor. He was again selected a commissioner to tender to the government at Washington the terms upon which Virginia would remain united with her former sisters. He was honored with the presidency of that Peace Conference. His manly appeals for justice were uttered and unheeded. He returned and recommended separation and independence. His advice was taken. It became necessary to form and establish another government for the new Confederacy. He was appointed by the Sovereign Convention of Virginia a member of the Provisional Congress. While occupying a conspicuous place in the eyes of the Confederacy, and the new government was assuming its permanent basis, he

was elected by the people a member of the first House of Representatives of the Confederate States, with a fair promise still of usefulness, to stamp his wisdom upon the enduring monuments of a new national existence.

But it pleased the Almighty to check his career, and take him to himself.

Such is the brief outline of the career of John Tyler. In private he was the perfect gentleman, the warm-hearted, affectionate, social, and delightful companion; it may be said of him, his kind hand ministered to the wants of the distressed.

Resolved, by the General Assembly, as the testimonial of a nation's sorrow for the death of a great and good man, that a joint committee of the Senate and House of Delegates be appointed to confer with a committee of the Congress of the Confederate States to make arrangements for his funeral and burial.

Resolved, That with the consent of his family his remains be deposited in Hollywood Cemetery, in the city of Richmond, near the remains of James Monroe, and that the Governor of this State be authorized to cause a suitable monument to be erected to his memory.

Resolved, That these resolutions be forthwith communicated by the Speaker of the House of Delegates to the Congress of the Confederate States, with a request that they concur therein.

The following are the lists of the committees of arrangements and conference appointed in both branches of the State Legislature:

In the House of Delegates.—Messrs. Barbour, Newton, Robertson, Hunter, Sheffey, Grattan, Anderson, of Botetourt; Blue, McCamant, Rives, Jones, Saunders, of Franklin; Mallory.

In the Senate.—Messrs. Branch, Robertson, Collier, Wiley, Isbell, Newman, Johnson.

The remains of the deceased were, on the 19th of the month, Sunday, removed to the Capitol, where, at three o'clock in the afternoon, the solemn ceremony of laying the remains in state was performed, the body being disposed of by Lieutenant-Governor Montague, Mr. Isbell, of the State Senate, and Mr. Bocock, member of Congress; the members of Congress, of the Senate of Virginia, and of the House of Delegates attending in procession.

[*From the Richmond Whig of January 21, 1862.*]

PROCEEDINGS OF CONGRESS.

Congress sat yesterday with open doors, devoting their entire session to suitable tributes to the virtues and services of their late fellow-member, the venerable and lamented ex-President Tyler. All day long his honored remains lay in state, in the draped Hall of Congress, covered with the flag of his country, with a wreath of evergreens and white roses on his breast; and

multitudes of both sexes visited the chamber to take a last look at his well-known features, and testify by their presence their sense of the public loss. As the hour for the meeting of Congress drew near, the space allotted to spectators rapidly filled with ladies and gentlemen. At twelve o'clock President Cobb took the chair, and an earnest and touching prayer was offered by Rev. Dr. Hoge.

Mr. Macfarland, of Virginia, rose and said :

Mr. President: My colleagues have been pleased to assign to me the sad duty of preparing resolutions, to express the sense of Congress of the great bereavement it is summoned unexpectedly to mourn and lament. I wish it were in my power to perform the mournful duty in a manner satisfactory to the sensibilities of Congress and the country. Any announcement of the decease of the Hon. John Tyler is imperfect and inadequate, fails of giving utterance to the nation's lamentation, if it do not present him as a statesman and patriot in whom his countrymen delighted to repose their confidence, and who failed not to derive fresh incentives to honor and revere him from the faithfulness and ability with which he administered every trust.

John Tyler is an historical name. He was himself permitted to hear the judgment of his generation, and I might say, of posterity, upon the labors and motives of his life, pronouncing that they were alike elevated and successful. He was the venerable representative of the memories of a past age, with its renounced alliances and associations, and zealous and efficient in the reforms and progress which have made the period of his latter days forever memorable. His fame is indissolubly blended with the history of his times, and shall survive the most enduring memorials of personal affection, or of public esteem. Live, he still does, and will, in his example, his deeds, the purity of his public and private life, in his matured counsels and inflexible devotion to Constitutional and Republican Government. However profoundly the blow smote upon our own feelings, "where else could he have been relieved of the yoke of his labors so well as in the field where he bore them?"

The time in which he lived was characterized by fierce political and party divisions; and Mr. Tyler was ever intrepid in avowing his opinions, and resolute in defending them. His career as chief-magistrate of the United States exposed him to painful collisions, and demanded of him the exercise of the highest fortitude and intrepidity. He met his trials then, as he did all others, as a good and brave man may, with patience and confidence, in the ultimate vindication of his motives. It was reserved for him, here in his own State, and in her august convention, to receive the unanimous vote of the entire body, on being proposed as a delegate to this Provisional Congress—an emphatic and deserved tribute to the fidelity of his eventful life, and to the weight of his character.

Mr. President, it is not alone for his statesmanship, and the length and variety of his public services, that Mr. Tyler will be gratefully remembered, and that admiring memories will fondly revert to, and recall him. As in his successive elevation from one high trust to another, until he had compassed the entire round of political preferment, an increase of reputation, fame, homage, met him at every advance, so in private life it was his privilege to

secure the respect, confidence and esteem of all who approached him. Of the most obliging courtesy, genial, generous and confiding; and withal, so engaging for his copious eloquence, his sympathy for his fellow man, and his profound views of the questions which engaged the public attention, all persons were instinctively attracted to him, nor did any go away without admiring him. You remember, sir, how the gentlemen of this House were accustomed to cluster around him, and how engaging and attractive he was always found. Nothing now remains for us, but the last and sad office of mourning friends, to commemorate the afflicting dispensation.

I move the adoption of the following resolutions:

Resolved, That Congress has heard, with the deepest sensibility, of the death, in this city, on the morning of Saturday, the 18th instant, of the Hon. John Tyler, a member of this Congress from the State of Virginia.

Resolved, That as a testimonial of respect for the memory of this illustrious statesman and honored patriot, the members of the Congress will wear the usual badge of mourning for thirty days, and will attend the funeral of deceased at twelve o'clock to-morrow.

Resolved, That a committee of one member from each State be appointed to superintend the funeral solemnities.

Resolved, That the proceedings of this body, in relation to the death of the Hon. John Tyler, be communicated by the President of Congress to the family of deceased.

Resolved, That as a further mark of respect to the memory of the deceased, that Congress do now adjourn.

Eulogies on the deceased were then pronounced by Messrs. Hunter and Rives, of Virginia; Wigall, of Texas; Venable, of North Carolina; and Rhett, of South Carolina.

The resolutions were then adopted, but the adjournment was stayed to enable the Speaker to present a copy of the resolutions adopted by the General Assembly of Virginia, on Saturday, in relation to the death of Mr. Tyler.

On motion of Mr. Bocock, of Virginia, a committee to make arrangements for the funeral obsequies was appointed.

The Speaker announced the committee as follows: Messrs. Bocock, of Virginia; Smith, of Alabama; Johnson, of Arkansas; Ward, of Florida; Crawford, of Georgia; Burnett, of Kentucky; Conrad, of Louisiana; Harris, of Mississippi; Bell, of Missouri; Morehead, of North Carolina; Boyce, of South Carolina; Atkins, of Tennessee; and Oldham, of Texas.

I shall not reproduce here the beautiful orations of Mr. R. M. T. Hunter and Mr. William C. Rives, which are given by Mr. Wise in his *Seven Decades*, but Mr. Venable's remarks ought to be put in easier access:

MR. VENABLE'S REMARKS ON THE DEATH OF PRESIDENT TYLER.

MR. PRESIDENT: After a short interval we are called upon again to recognize the hand of death doing his work amongst us. Another of our colleagues has obeyed the summons. Clothed in his robes of office, he has finished the

work assigned him and sleeps amongst the fathers, himself one of that patriarchal host. "The hand of the reaper took the ear that was hoary," ripe, matured and perfect. A long, distinguished, useful life, filled with the service of his country, always forming a portion of its proudest history, has closed amidst its continuous duties—closed amidst scenes of domestic endearment, varied by obedience to the call of his country in her hour of need, and at the last illuminated by the radiance of that friendship which legitimately surrounds the great and good man at the end of his life. When I saw him in this hall, a reverential feeling pervaded and possessed me. I listened to his counsels, learned from his experience, and never before so fully realized the conception of the poet who assigned to Nestor the office of composing the difficulties and solving the perplexities which beset the Grecian council before the walls of Troy. We have all been impressed with the unimpaired vigor of his mind, as well as his kind and dignified concession on measures where there was no sacrifice of principle to expediency. None of us have forgotten the Roman dignity with which he changed his vote upon a great measure in order that the law might go forth to the country with the prestige of unanimity.

The son of a revolutionary sire, whose life constitutes so much of the history of that struggle, the fire of patriotism early kindled upon the altar of his heart, continued to glow and burn with increasing intensity, until his name, now enrolled with that of his distinguished father, will descend with renewed claims to the gratitude of posterity.

Of the political history of President Tyler it is not my purpose to extend my remarks; we have already heard most interesting details, as far as time would permit; for should anything more than a reference be made to a career of fifty years, with small intermission, in the service of a country which delighted to honor him, it would protract these proceedings to an undesirable length. To the biographer and the historian this work must be assigned. From the year 1811, as a legislator, a lawyer, and the chief magistrate of the State, in the House of Representatives, the Senate, and the presidential chair, he filled all the offices in the gift of the people until he attained the highest which they could bestow. Educated in and belonging to the Republican State-rights school, he never failed in all his public acts to recognize those doctrines, reserving for the close of his honored and useful life the crowning act which made those doctrines practical and operative. Retiring from the presidency, like Cincinnatus, to his farm, within the circle of a loving family, he was cheered by the hope, which all wise men cherish, of that greatest of earthly blessings, that he might close his course in peace and quietness. This realization was denied him, for his country called for him again, and he once more responded to her call, in the last, the noblest service of his life. For whilst we admire the stern consistency of his public life; his resistance of the Missouri compromise upon the broad grounds of its unconstitutionality; his solitary vote in the Senate against the Force bill; the sagacity which he displayed in the great measures of his administration; the wisdom with which, in utter disregard of party tactics, he surrounded himself with the greatest and best of councillors; the moral courage with which he emanci-

pated the people from the thralldom of the money-changers, whose fetters were well nigh fastened upon them ; the separation of the Treasury from the banks, and the annexation of the vast domain of Texas,—they all pale before the history of the last year of his life.

Troubles, which many feared and some anticipated with the certainty of conviction, came upon us, and the veteran once more, in armor of proof, led his countrymen to resistance. He saw that honor and independence were perilled, and his great soul knew not how to hesitate. As an ambassador of Virginia to the President of the United States, he demanded, with a dignity becoming his mission, why it was that the guns of Fortress Monroe, built upon Virginia's soil for her protection, were turned against her bosom—a fact which, although existing, was by that functionary denied. As a member of the State Convention, and as President of the Peace Congress, his high purpose and continual claim of the rights of the South marked him as the "Chief of the Fathers," on whose firmness we could rely and in whose wisdom we could confide. The masterly speech delivered on his return to the convention from the Peace Congress, which exposed the impotent and degrading conclusions proposed by that body to his State, will be long remembered. It was the great point in that discussion, it was a triumph over the last effort at submission, and our lamented colleague, looking secession and its consequences in the face, feared not to advise and to lead in the consummation which now presents us to the world as the Confederate States of America. The great master of English poetry has said of glory, "that, like a circle in the water, it never ceases to enlarge itself till by broad spreading it disperses to naught." However beautiful and true this illustration may be in general, it fails in describing the glory won by our illustrious colleague ; the centrifugal force increased with the extent of the surface of its influence, each succeeding circle stronger and more distinct, until the last, rising into a wave, reflected a light which adorned its whole circumference with the radiance of the bow of promise. Our eyes have been refreshed by that light ; we have witnessed the vigor of his thoughts and the power of his eloquence, equalling, if not surpassing, his best days. His name will be venerated as long as civil liberty and national honor is cherished by the South. To say more of this great passage of his life would be to attempt to "add fragrance to the violet, to gild refined gold, to give smoothness to ice." His name is embalmed in the record of these events, and their irresistible logic will establish his claims to the reverence of mankind.

But, sir, I must be allowed a few remarks upon the high social and moral qualities of President Tyler. This is a theme on which it is delightful to speak ; it is impressed upon my heart by the recollection of early kindness, the origin of a friendship of more than forty years—the value of which is more justly appreciated when cut off by the cold hand of death. I am not alone in the sadness with which this event, connected with similar circumstances, has filled my bosom. The same acknowledgment of kindness, and a similar sense of obligation, is made and felt by many who now listen to me. The number who thus feel is limited only by the extent of his vast acquaintance with the generations which have grown up around and about him. It was

often said of him by some of those who reviewed his unprecedented success in securing the confidence of his countrymen and the high positions to which he attained, to have been a *fortunate, a lucky man*. This is an unphilosophical, a contracted view of his character and the current of events in which he mingled. *Luck and fortune, sir, are heathen words*, and the want of them is usually the excuse for failures when the cause was to be found in those who have failed. His kind heart and generous instincts, combined with a thorough knowledge of human nature, taught him that it was as necessary to happiness and usefulness to increase his stock of friends as for a merchant to enlarge his capital when he extended his business. Time and death were continually curtailing the number of those who were young when he was young; and he renewed his strength by generous and disinterested attentions to the rising generation. To inspire them with hope when launching upon the ocean of life, to aid virtuous enterprise, to cheer the desponding, and give the light of his experience to those who sought it, was his peculiar delight. He wisely, benevolently regulated his intercourse with the young. "Age is dark and unlovely," and the verdure which may adorn it, and the flowers which may relieve its barren aspect, must be borrowed from them. He who, conscious of the advantages of age and experience, withdraws himself from those to whom he might be a benefactor, repelling their efforts to conciliate his regard and his confidence, must expect a *lonely old age*. He will stand like some solitary tree in an extensive plain, the sport of every blast, the victim of the storm, whilst the friend and counsellor of the young will, like the monarch of the woods, be surrounded by a young forest which shelters and protects it, reflecting the brightness of their foliage, borrowing vitality from their proximity, and, at the appointed time, sink so gracefully that we are scarcely conscious of its decay. Our lamented friend appreciated all this, and, during his long and distinguished life, often felt the support of hosts who, won by former kindness, rallied to his support when fiercely assailed and almost overcome. Such events were of necessity connected with such a political life as his.

Universally bland and conciliatory in his intercourse with the people, he scorned the artifices and the aims of the demagogue, regarding him as the worst, the most dangerous and unprincipled enemy of human liberty. Fixed in his opinions of constitutional law and the sound principles of its administration, he was sometimes constrained to abandon party associations, always avowing, as the reason for such an abandonment, that the party with which he was associated had departed from the principles of their organization. He was thus unjustly reproached with a disregard of party allegiance and that adherence to its discipline which, in the eyes of many, is worse than treason to the State. He looked above such paltry calculations, and was thus more than once in a minority,—a word, the very thought of which carries dismay to a trading politician,—a word which had no terrors for him. Sustained by the truth and the conviction that he was right, the hour of desertion by those in high places was the moment of his triumph, when, looking above and beyond the clamors which surrounded him, he, by a talismanic power, surrounded himself with an impregnable array of wisdom, talent and statesman-

ship which secured more and greater advantages to the South than any administration within the last half century. With no party, either in the Senate or House of Representatives, he conducted the affairs of the Republic with unexampled success, and has lived to silence all complaint and unite all hearts in a common mourning at his death.

President Tyler was not vindictive, he was not unjust, he was not even harsh in his judgment when he might complain of wrong. He outlived all misconstruction of his motives, and his last days were illuminated by the undivided admiration of his countrymen. He knew the value of kindness and loved to speak kind words. "Kind words are the brightest flowers of earth's existence; they make a very paradise of the humblest home this world can show. They are jewels beyond price, and more precious to heal the wounded heart and make the weighed down spirit glad than all the blessings earth can give." *Here was the secret of his luck, the cause of his good fortune.* His hosts of friends increased with his years; here his wealth was inexhaustible; he drew upon a bank that always honored his drafts—the love, the gratitude of those endeared by kind offices, "for gratitude is the music of the heart when its cords are touched by the breezes of kindness." From associations like these he has sunk gracefully to the tomb, and in this view of the subject, why should we grieve?—sorrow we may, but murmur we dare not.

For him was not reserved physical decay to combine compassion with our reverence; no twilight of the mind, like a polar sunset, making darkness visible. But with form erect and step elastic, he moved amongst us, and was of us, while his mind, like the tropic sun, retained its size and brightness, until it sunk beneath the wave of death. We have none of those painful recollections which often intrude themselves upon us, when the great and good sink into senility and vegetate out of existence.

"Life ebbs from such old age unmark'd and silent
As the slow neaptide leaves you stranded galley.
Once she rock'd merrily at the least impulse
That wind or wave could give her; but now her keel
Is settling in the sand. Her mast has ta'en
An angle with the sky from which it shifts not.
Each wave receding, shakes her less and less,
Till bedded on the strand, she shall remain
Useless as motionless."

No such sad finale awaited him. Like a gallant ship returning home after a long and prosperous passage over the ocean, the haven is reached, the anchor let go, and life's voyage is ended.

Sir, this scene is to me a painful but instructive lesson. As we advance in years, the loss of those long regarded as friends is indeed irreparable. To the older of us it announces that the time is short, our duties urgent; what we do must be done quickly and done well, remembering our duty to God and to posterity; to us all, that we are strangers, pilgrims, travellers for a short season, surrounded by fearful responsibilities, and the certainty of death. Let us look above and beyond every consideration, but that which we profess to

represent, the interests and welfare of our bleeding country. Let our fortune be hers; her safety and honor our highest aim. Rejecting all lower motives, let us emulate his patriotism, who, with all the endearments of his family around him, could cheerfully die in her service, leaving his widow and infant children to his country and his God. Two of our number, after a brief illness have bowed their heads and died; let us seek the Christian's hope as the assurance of the Christian's heaven.

Sir, a great light has been extinguished in this hall; but there is a home once brightened by it which has lost much of its brilliancy. The mild, the lovely ray, which softened and relieved that stronger light, now in sadness shines alone. I witnessed its genial influence in the face of the sick, the dying statesman. I heard him speak of his wife and his young children, and commit them to God and his country. May he who has said "leave your fatherless children to me" smile upon and bless the bereaved household with his blessing, which maketh rich and addeth no sorrow therewith.

[*From the Richmond Whig of January 22, 1862.*]

OBSEQUIES OF EX-PRESIDENT TYLER.

As the hour of noon approached yesterday, at which time was appointed the commencement of the funeral ceremonies of ex-President Tyler, the Capitol grounds were thronged with carriages, and with crowds of pedestrians, many of them wearing badges of mourning. The spectacle was one of solemn animation. Crowds wended their way to St. Paul's Church to secure seats that they might hear the funeral discourse to be delivered there, while others lingered on the route of the procession to observe its order and movement.

The first exercise in Congress after the House was called to order, and before the body was removed to the church, was the offering of the following prayer, by Rev. Dr. Moses D. Hoge, of the Presbyterian Church:

"Almighty and ever blessed God! Thou hast established thy throne in the Heavens, and thy kingdom ruleth over all. The hearts of the children of men are in thy hand; their lives are subject to thy control; at thy command their bodies return to the dust.

"We humbly beseech thee to make us deeply sensible of our dependence on thee, and to fill us with reverence and godly fear. And, now, that we are about to go to the house of God, there to hear the instruction of thy holy oracles, and thence to the grave, there to behold the place appointed for all the living, we pray thee 'make us to know our end, and the measure of our days, what it is, that we may know how frail we are.' And may thy Holy Spirit so accompany the solemn scenes and services of the day that we may thereby be better prepared for all that awaits us in future life, for the hour of death, and for the felicities and glories of thine everlasting kingdom, through Jesus Christ, our Lord. Amen."

THE FOLLOWING WAS THE ORDER OF THE PROCESSION:

1. The military selected for duty on the occasion.
2. The hearse containing the remains of the deceased, attended by the following gentlemen as pall-bearers: J. W. Brockenbrough, Virginia; Robert Toombs, Georgia; R. W. Barnwell, South Carolina; John B. Clark, Missouri;

Thomas B. Monroe, Kentucky; Jackson Morton, Florida; John M. Morehead, North Carolina; W. P. Chilton, Alabama; John Robertson, Senate of Virginia; James Neeson, Senate of Virginia; B. B. Douglass, Senate of Virginia; Thos. M. Isbell, Senate of Virginia; W. Newton, House of Delegates of Virginia; J. T. Anderson, House of Delegates of Virginia; Andrew Hunter, House of Delegates of Virginia; W. T. Jones, House of Delegates of Virginia.

3. The family of the deceased, the physicians attending upon him in his last illness, and Bishop Johns.

4. The Committee of Arrangements of Congress and the joint committee of the General Assembly of Virginia.

5. The President of the C. S. A.

6. The Vice-President and Cabinet.

7. The Governor, Lieutenant-Governor and Secretary of the Commonwealth of Virginia.

8. The Judges of the Courts of the Confederate States and of the State of Virginia, and the Attorney-General of Virginia.

9. The Congress of the Confederate States, preceded by their Speaker, and attended by their Clerk, Sergeant-at-Arms, and other officers.

10. The Senate of Virginia, preceded by their President *pro tem.*, and attended by their Clerk, Sergeant-at-Arms, and other officers.

11. The House of Delegates of Virginia, preceded by their Speaker, and attended by their Clerk, Sergeant-at-Arms, and other officers.

12. The Clergy of the city, officiating for the Congress and Virginia Legislature.

13. Officers of the Army and Navy of the Confederate States.

14. Officers and Members of the Maryland Society.

15. The Mayor of Richmond and other City authorities.

16. The citizens generally.

The coffin was lifted by a file of the State Guard, the military selected for duty on the occasion. The procession, under the direction of Col. Thomas H. Ellis, chief marshal of the day, moved on foot to St. Paul's Church, the band playing a solemn dirge.

Long before the procession reached the church the galleries had been crowded by an interested audience, largely composed of ladies, the seats on the floor being mostly reserved for the members of the procession. Notwithstanding the immense pressure of the crowd, the utmost order and decorum were maintained in the body of the church by the prompt and unwearying attention of Mr. Irvin, the well-known and popular sexton. The remains having been deposited near the chancel, the procession filed into the seats allotted them, the front seats being occupied by the family of the deceased, the committee, and the President and heads of departments.

After appropriate preliminary services, Dr. Minnigerode officiating, and the singing by the choir of the 189th hymn, Right Rev. Bishop Johns, of the Episcopal Church, delivered the funeral discourse from the text, Romans, xiii. 7, "Render, therefore, to all their dues: tribute to whom tribute is due; custom to whom custom; fear to whom fear; honor to whom honor."

The Right Reverend Bishop commenced his discourse by remarking that it was not required of him to pass in review the public character and public works of the venerated statesman whose remains lay there in the drapery of death. Nor was it necessary for him to dwell upon topics to which others had done justice, and of which they were better calculated than himself to speak with accuracy and completeness. The deceased had left behind him a rich and pure legacy, worthy to adorn the history of his country and to guide others by example.

John Tyler was the worthy son of a patriotic sire, from whose lips he had learned those lessons of wisdom which he illustrated in his life, and public example, and private associations. When scarcely more than a stripling he was sent to William and Mary College, then in its palmiest days of renown and usefulness. Those who knew him well would recollect with what fondness and warm enthusiasm he was wont to recur to the early reminiscences of those college days: and through all his life his Alma Mater never lost her place in his heart; nor was that mother insensible to the honorable distinctions in life obtained by her son, and she herself added to his chaplet of fame every garland that was in her gift. He was for a long period a prominent member of the Board of Visitors of the College, afterwards Rector, and was chosen to the office of Chancellorship—in which latter place he had no predecessor but the Father of his Country, George Washington, in respect to whose memory it continued vacant until John Tyler was, by acclamation, appointed to it.

The Right Reverend Bishop continued in a general reference to the public life of the deceased. It could not be said, even when he was elevated to the high office of President of the United States, that his career had culminated, for to the close of his life he had never experienced a decline. In retirement he suffered no decay in his faculties, and in the hour of darkness and struggle that had fallen upon his country he had come forth with nursed and gathered strength, "rejoicing as a strong man to run his race."

It was comforting to know that the great work of eternity had not been neglected. His gifted mind held fast as a foundation of its faith and hope to the oracles of God. He was long accustomed to meditate on the things of eternity; and when, a few years ago, he was prostrated by sickness and impressed with the idea of approaching dissolution, the testimony of the pastor, whose service he was so fond of attending in that church he had so reverently joined, showed the brightness of the faith in which he died.

The next ceremony of solemn service to be performed for the dead was to convey the remains to their last resting place and cover them in the grave. In bearing them to the cemetery, where they were to rest, memory would naturally recur to the burial in that ground of another President of the United States, whose body was brought to us here by those then bound up in relationship with us, expressing common sympathy, and whose hands assisted in the solemn offices, but who are now pressing upon our soil in ruthless invasion, and with purposes of violence and blood. But oh! when we repair to the scene that brings up these associations—when we stand by the grave—oh! let us think of Him who heard the hosannas of the crowd that thronged his path, and so shortly after the cry of "crucify him! crucify him!" and as we stand

by the grave let us remember too, and as far as in us lies take into our hearts the words of the same blessed Savior: "Father, forgive them, for they know not what they do."

After the services had concluded in the church, the coffin was borne out to the hearse, and the line of procession commenced, the State Guard presenting arms during the ceremony. Notwithstanding the inclemency of the weather and drizzling fall of rain, the streets in the neighborhood were filled with spectators, the piazzas of the Central Hotel being crowded with citizens and visitors, and every point of observation occupied by those eager to witness the progress of the procession.

A considerable time elapsed before the line of procession was completed. About one hundred and fifty carriages were in procession, extending over a distance of a quarter of a mile. The order was preserved as laid down in the programme. President Davis having the place next to the committee of arrangements, and being followed by the heads of departments, and they by the Governor of Virginia, the judiciary, members of Congress, members of the State Legislature, etc.

The whole line of procession was under the conduct of Captain Ellis, chief marshal, and the following aids, distinguished by white scarfs trimmed with crape: Captain Selden, Major Tyler, Captain Hill, Captain Smith, and Messrs. Bigger, Eubank, Thompson, Taylor, Zimmer, and Smith.

The route of the procession was then taken up Grace street to Fifth, down Fifth to Main, up Main to Second, down Second to Cary, and up Cary to the road leading to the Cemetery.

On reaching the Cemetery, the procession extended from the top of the hill overlooking the river to a considerable distance beyond the gates of the enclosure. After reading the funeral service, the remains were deposited in the grave. The situation chosen for the last resting place of the mortal remains of John Tyler is by the side of the tomb of Monroe. It is on a knoll which commands a broad and beautiful view, stretching over all the objects of the city, with water view and landscape intermingled, and overhanging the islets and falls of the river, the sound of whose waters is heard as a constant and distinct music by day and by night.

I would not feel that I had effected the object of this work without adding a few words to the sketch given of Robert Tyler, on page 645. He married Priscilla Cooper, daughter of Thomas A. Cooper, the tragedian. He was forty-four when the war came, and had at that time, as I have observed, succeeded in attaining a position where the future lay open before him in Pennsylvania. The war disappointed this bright prospect, and during that period of conflict he was Register of the Southern Confederacy. He was also a private soldier, having declined any commission, in what was known as the "Treasury Regiment," in General Curtis



Robert F. Johnson

Lee's Brigade, especially established for the defense of Richmond. Mr. Tyler was in the fight with Col. Dahlgren at Glen Bernie, on the Plank Road, leading out from Richmond, when he attempted to raid into the city with a picked regiment of calvary. After defeating the bold raiders, and thus saving the city from his assault, the Governor publicly thanked the regiment for having saved Richmond from the intended pollution. Mr. Tyler was also with the regiment in several other battles and skirmishes around the Confederate capital, and remained in active service in this regiment as a private soldier during the war. Mr. Tyler accompanied President Davis, after General Lee's lines of defense around Richmond were at last broken by General Grant's immense army, and followed the fortunes of the cause of the Confederacy to the "last ditch." He was dismissed by Mr. Davis in the old Mint at Charlotte, who informed him that the last hopes of the Confederacy were over. Making his way back to Danville, where he surrendered to the authorities of the United States, and then to Richmond, he went to Montgomery, where his family had been for safety a year or more, having lost every dollar he possessed by the war.

On reaching Richmond he received a letter from that great and good man, James Buchanan, which was very suggestive of the feelings of generosity and magnanimity characterizing the Democratic party of the North in its treatment of the South after the war. Mr. Buchanan wrote as follows:

[TO ROBERT TYLER.]

WHEATLAND, NEAR LANCASTER, 3rd *August*, 1865.

MY DEAR SIR: I have learned through our old friends, Baker and Owen Jones, that you now need the assistance of your friends, and I hasten to send you a check for \$1,000 on the Chemical Bank of New York. Please to acknowledge its receipt.

Although I could not approve your course in favor of the secessionists, yet I have never doubted the sincerity of your belief and the purity of your motives. Thank God! the war is over, and the Union has not been broken. May his infinite mercy preserve it for ages to come! My health is good for a man in his seventy-fifth year.

With my very kindest regards to Mrs. Tyler, I remain always, very respectfully your friend,

JAMES BUCHANAN.

Mr. Tyler declined the pecuniary aid which Mr. Buchanan offered him, replying as follows:

[ROBERT TYLER to EX-PRESIDENT BUCHANAN.]

RICHMOND, VA., *August 14, 1865.**His Excellency, James Buchanan :*

MY DEAR SIR: It was with the greatest pleasure that I recognized your well-known handwriting in the superscription of your letter, which I found awaiting me on my return from the country the day before yesterday. Your handwriting is as clear, pure and distinct to the eye as it was nearly twenty years ago, when I first became your political friend. I hope it may continue so for many years to come. I have not changed in my sentiments towards you in the least, and maintain the same personal attachment, and the same respect for your political wisdom and patriotism that I was wont to express when you were in active public life. Had your counsels prevailed, the country would have escaped the untold horrors of the last four years of bloodshed, crime and war. It would have done more; it would have escaped the eminent perils that now threaten it on all sides, both within and without. Is there, in truth, any hope left that the old constitutional equilibrium can ever be restored? Shall we have any government hereafter except the mere will of an organized mob, in the shape of a predominant party?

Yes, I frankly confess that I did fervently believe in the doctrine of State-sovereignty as the foundation principle of our system of government. I did believe in the right and expediency of a peaceable separation between inharmonious States, when the issue was made between that principle and the sword. You well know that the power of coercion of States by the Federal government is not only not to be found in the Constitution, but was a power which the convention expressly refused to delegate. But I was not originally a disunionist, as I had no intention of leaving Pennsylvania at the commencement of the war. I was forcibly expelled, and lost all in a day—office, home, friends, and property—for which I had toiled for years. But the conflict is ended, and I bow in submission to the inscrutable will of God! My political race is run, and my destiny is fixed. I only want to devote the rest of my life to work, and to dedicate my remaining energies exclusively to those dependent on my exertions. The war has left me literally *nothing* except an unstained honor that has triumphed over many temptations, and the many weaknesses in my character, and a resolute will. And verily it requires great mental fortitude and a resolute temper to look out on the prospect with an unblanched cheek. But God in this hour of calamity helps me to do that.

When you see Col. Baker, present to him, if you please, my affectionate regards. I know few men I like better. He is emphatically a good man, upright, sensible and honest. May God bless him for thinking of me in my distress. Owen Jones deserves also my most grateful sentiments. I should like to shake them both by the hand.

And now, my dear sir, although I return your check, it is with many thanks for your kindness.

Should Miss Lane be with you, pray make my respectful compliments to her. What has become of my friends, James Buchanan and Buchanan Henry, your nephews? I trust they are all well and doing well. May you live to enjoy many years of ease and comfort.

Believe me, with great regard, your friend,

ROBERT TYLER.

Mr. Tyler resided in Montgomery, Alabama, until his death, in 1878. He was the editor of the leading paper of the Southwest, *The Montgomery Mail and Advertiser*, and his trenchant pen did efficient work in the cause of saving the State from the riot and pillage of the wicked and despicable characters that were maintained by the Republican party in the government of the South for so many years. For some time he was chairman of the Democratic State Central Committee of Alabama. Mr. Tyler died in the year 1878. He was serving as foreman of the grand jury when he was prostrated by a blow of paralysis. He died, as he had lived, without a blemish on his honor or his character—"a brave, earnest and whole-soul man, doing his full duty to his country and to his God." The following is one of many letters of like character received by his family after his death:

[GOV. ROBT. B. LINDSAY TO T. J. FOSTER,¹ ESQ.]

TUSCUMBIA, ALA., 20th January, 1879.

DEAR SIR: In reply to your favor of the 14th instant, I beg leave to refer you to an Act approved March 9, 1871, and found on page sixty-eight of the Acts of Alabama, 1870-'71, for the authority under which I appointed Col. Robert Tyler, as well as for an enumeration of the duties prescribed for the office.

Your reference to my deceased friend, Col. Tyler, recalls some of the most sacred and most fondly cherished recollections of my political past. It is a long time since I entered public life, but in all its struggles, conflicts and triumphs, I have known no one of purer patriotism, and certainly no one quicker to recognize its duties and exactions. No influence could divert or restrain him; no personal responsibility deter him from their performance. He seemed always to act as if he had an ancestral glory to preserve, not as if its lustre entitled him to consideration and distinction. His sensibility was delicate and his magnanimity generous.

Knowing that his fortunes had not escaped our sectional desolation, and animated as I was by gratitude, in my conception one of the noblest virtues in public or private relations, I tendered to him, or rather suggested his acceptance of some position that might prove remunerative in connection with that prolific source of evils, the A. & C. R. R. He declined without a hesitating pause, assigning as a reason for his course, that he would not permit a shadow of suspicion to attach to his editorial discussions which that road was likely to generate. What a beacon light was there to journalistic craft, threatened with the breakers of self-interest! Take him all in all, with nicely adjusted attributes of head and heart, Col. Robert Tyler was a bright example of a noble manhood, well calculated to inspire those permitted to contemplate it with an exalted view of human nature.

¹ Robert Tyler's son-in-law.

His services to Alabama were eminent and effective; but the history of politics affords the discouraging lesson that the lukewarm and indifferent in all great movements reap the fruits of victory, not the battle-scarred veterans who helped to achieve it.

I have extended this beyond my intention; excuse me, and you may rest assured I will do all I am able to facilitate your wishes.

ROBT. B. LINDSAY.

Peace, sweet peace, drives prejudices from the heart; and we can moralize now without feeling or bitterness. Von Holst almost laughs at the reverence with which the Constitution, a very imperfect instrument, was regarded by the people of the United States up to the war. His criticism is just when it is taken as relating to its terms, which, as the anti-Federalists contended, are full of ambiguities. But it was not the outward form that the people so revered, but the principle that it was intended to exemplify. That principle was, that in a country of as vast an extent as the United States, it was peremptory, in order to make the Union a blessing, that the laws should be a fair and honest compromise between conflicting interests. So far as climate and productions are concerned, Texas and Maine have more reason for an independent government than France and England. Now it was because the Constitution alone afforded any guaranty to justice that its terms were so much appealed to. New England appealed to it against the embargo laws enacted out of the purest patriotism, South Carolina against the tariff laws, whose principle of *robbery* was even more immoral than slavery. Thus, when the Constitution, during the war, became a mere echo, the eulogy on its character still went forth from an ancient habit, and ingenuity was teased to suggest some apologetic interpretation foreign to its intention. The most serious evil, therefore, resulting from the war to the people of the United States is the undisputed assertion of the rule of expediency, and the abandonment by the country of even the pretense to the rule of principle.

Thus our government has beyond doubt become the most rigid of all governments in the way of reform. One part of the country has been taught to prey upon another part, and local majorities dictate the law to all. Now "King Numbers" is the worst of all tyrants, since the combinations that it forms stifle out all virtuous inclinations until one general level of evil is attained. For this

reason it is that even the government of Russia would blush at the defects that disfigure the civil-service of this country. England has long ago reformed her government in this particular, but we still creep on with a polluted wing. So it is in the case of the tariff. The United States will be the last of all nations to abandon it. Russia will abandon it whenever a czar arises who will aspire to the title of "father of his country."¹ England long ago abandoned it; for under her system of government, absurd in its class-distinctions, but right beyond all the nations of the earth in the principle of taxation, which it leaves to each of the members of its empire uncontrolled, what is the interest of one is the interest of all. Every man in England is affected alike by the laws, and the majority refuses to prey upon itself. Every man in Canada feels in the same way; and each country having its own laws under the indissoluble tie of the crown, interest guarantees the precious heritage of local self-government, and the national glory perpetuates to all ages the union of the Empire.

It is the interest of the whole country that *principle* should be once more established as the rule and guide of the government of the United States. The Constitution must be *reverenced* and its imperfections removed. In fifty years other parts of the country than the South may become the "milch-cow." Virginia, after the war, was like New England in 1786, and in that time may become a manufacturing State. The North has established the rule of expediency, and who can blame her for insisting, after all her sufferings, upon the application of the principle of plunder, if she gets the chance, to New England. The South has accepted long ago the situation in *patriotic good faith*. Be the laws what they may, she will war no more. She fought; is glad of it; offers no apologies, and acknowledges herself conquered. Her life

"Crept so long on a broken wing
Thro' cells of madness, haunts of horror and fear,
That she came to be grateful at last for a little thing."

¹ Thus Mr. Tyler said: "The single tyrant may aspire to the appellation of 'father of his people.' He has no motive to discriminate between sections, and consulting true glory, may have at heart the interests of all his subjects. But not so the tyrant majority. Its combinations are formed, not only to preserve its power, but, as a means of ensuring its continuance, to prey upon all other interests." See *Ante*, p. 510.

The restoration to power of the Democratic party is unquestionably the "dawn of a new era." Now is the time to return to the spirit of the Fathers. As the ship of state flies over the waters of time, wafted onward by blessings from the North and the South, from the East and the West, the guidance of one star will keep it from shipwreck forever—the star of JUSTICE—"FIAT JUSTITIA, RUAT COELUM!" Justice, local self-government, and State-rights are one. With justice as the guide, all can exclaim with President Buchanan, "Thank God! the war is over, and the Union has not been broken. May his infinite mercy preserve it for ages to come!" And in the language of Judge Tyler, "I will die in the good old cause, while I lament its falling off, still hoping there will not be wanting patriots enough to hold the helm of government for many centuries to come, and again bring it back to first principles."

APPENDIX.

A.

Journal of the First General Assembly of Virginia.

The statement in Vol. i., p. 9, Note 1, is upon the authority of Campbell's History of Virginia, but is erroneous. It was Mr. Conway Robinson, of Virginia, and not Mr. Bancroft, that first discovered the proceedings of the first General Assembly of Virginia. It was published at the instance of Mr. Bancroft.

B.

Mexican Claims.

The statement on page 289, Vol. ii., that the President would have approved of the convention negotiated by Waddy Thompson with Mexico had the Senate done so, is, on further examination, found incorrect. The President cordially concurred with the Senate in requiring the sitting of the commission to be at Washington instead of Mexico. Mr. Upshur's dispatch of February 9, 1844, is fully satisfactory, Waddy Thompson to the contrary notwithstanding. The large majority of the claims were American claims. The proofs on which they relied existed for the most part in the United States. A large portion of them had been deposited in the State Department. If the board should sit in Mexico, it would be necessary to prepare more than one copy of each of these multitudinous papers to be transmitted to that capital. And the expense of prosecuting claims at so great a distance would amount to a denial of justice. "It is altogether probable," says Upshur, "that in every case of serious importance that government is now fully prepared with all the evidence that can be obtained, and would use it in Washington with as little inconvenience or expense as in the city of Mexico." But see the dispatch.

C.

Upshur's Dispatch of October 9, 1843, Vol. ii., p. 439.

During a recent visit to Washington, I examined Mr. Upshur's dispatch of October 9, 1843, in the State Department. It contains a long and able vindication of the American claim to Oregon, but gives no hint as to the negotiation for California, which was a matter too delicate to commit to paper.

D.

Negotiations for California, etc.

Concerning Mr. Tyler's negotiations for California, etc., the following statement, from the pen of Dr. Silas Reed, of Boston, came to hand after the text had been prepared :

Boston, April 8, 1885.

"I accompanied Mr. Tyler and his family to Richmond, Va., on his way home to Sherwood Forest, on the 5th of March, 1845, and during my stay with him,—a day or two at Richmond,—he informed me with considerable detail that he, with the able support of Mr. Calhoun, had obtained the concurrence of Mexico in a treaty for a most satisfactory boundary, not only between her and Texas, but between her and the United States, and that if his term could have lasted a few weeks longer, he would have laid it before the United States Senate for its ratification, and thus would have consummated one of the grandest purposes of his administration, which extended far beyond the annexation of Texas, and looked to the purchase from Mexico of the whole Rocky Mountain region, including New Mexico and California. This plan was the same that I outlined and advocated when I proposed to him, for reasons personal to himself, the appointment of Fremont, in March, 1842, to head an exploring expedition across the Rocky Mountains to the Pacific coast, as I will show farther on.

"Mr. Tyler explained to me fully the terms of the treaty or project that had been agreed upon with Mexico, and only required the ratification of the Senate to make it binding on both nations.

"The following were the terms: The Rio Grande river to form the southwestern boundary of Texas as far up as the town of El Paso, and not the river Nueces, to which she claimed at the period of our annexing Texas in 1845, and to hold which she declared war with the United States, and fought the battles of Resaca de La Pama and Palo Alto a year or two after, as she had promised if the United States did not limit Texas to the line of the Nueces river. Thus Mr. Polk, by taking up the negotiations where Mr. Tyler and Calhoun left them on the 4th of March, 1845, could have prevented the cruel and unjust war with Mexico, and saved tens of thousands of the lives of his brave countrymen and millions on millions of the people's hard earnings, had he not been treacherous to the well-known interests of the government, to say nothing of his treachery towards Mr. Tyler and his leading friends, through whom and by whom he reached the Presidency by basely deceiving them in 1844.

"From El Paso the line was to run west along the 32nd parallel of north latitude to the Pacific ocean (near San Diego). All north of this line Mexico agreed to sell to the United States, and abandon her claim west of the river Nueces, for the stated sum of \$15,000,000,—Mexico then owned all the Rocky Mountain region northward to the 42nd parallel of latitude, which is now the northern boundary of California, Nevada, Utah and one degree off of the south side of Wyoming. This area also included New Mexico and most of Colorado on the east, and all of California on the west.

"Who, then, will wonder that President Tyler so earnestly and diligently labored during the last three years of his administration to lawfully and peacefully obtain from Mexico this magnificent prize for a government and people who have never awarded him, because of the stupidity and disloyalty of Mr. Polk, more than a bare pittance of justice for the earnest efforts he so long made to gain for them an empire on the Pacific coast, and vast mines of wealth in the Rocky Mountains, and the right of way for three continental railways already in operation within that vast mountain area?

"Had Mr. Tyler's work on this line of territorial acquisition been taken up where he left it, by Mr. Polk, our nation would have been saved the disgrace of waging a relentless and causeless war upon a sister republic so far weaker than ours, and all because she patriotically defended parts of her ancient territory until we paid her for it.

"When General Scott reached the City of Mexico with his invading army he found a treaty of peace necessary. Mr. Polk then very conveniently found, as I believe, the Tyler and Calhoun treaty, or protocol, with Mexico all made out in the State Department, and needing only the confirmatory action of our Senate in March, 1845. Mr. Trist was, up to that date, chief clerk of the State Department under Mr. Calhoun, and continued under Mr. Marcy. He was at once made commissioner to join General Scott at the City of Mexico with the project or protocol of a treaty of peace, and no doubt bore to General Scott a veritable copy, if not the original treaty, agreed upon between Mexico and Mr. Tyler in the last days of Mr. Tyler's official term; for the treaty made by General Scott is exactly and emphatically the same, in all its terms and conditions, as the one described to me by Mr. Tyler, at Richmond, the next day after Mr. Polk's inauguration.

"I wrote to Mr. Evarts, while Secretary of State, to know if the protocol of that incomplete treaty was on file in his department, and he informed me that none such could be found. I have no doubt the Mexican state department contains either it, or evidence of it, if only in the correspondence at that time between the two governments; for I most implicitly rely upon Mr. Tyler's memory and minute statement of the exact terms of his agreement with Mexico, which were exactly the same that appeared in the Scott and Trist treaty at the close of the Mexican war.

"I must now return to Mr. Tyler's plans to furnish the American people with a broader and more perfect knowledge of the value and resources, in a national point of view, of the Rocky Mountain country, and California and Oregon. My residence at St. Louis for some years had furnished me numerous facilities for obtaining large information as to the Rocky Mountains—the rivers, valleys, mountain passes, etc. Ex-Governor Clarke, who had preceded me a few years before as United States surveyor-general of Illinois and Missouri, and was still living, furnished me many valuable personal narratives of his observations and experiences in his expedition to the head waters of the Missouri, and down the Columbia rivers, in 1804, under the appointment of President Jefferson. This is known in history as the Lewis and Clarke expedition across the Rocky Mountains to the Pacific, and it conferred honor

upon Mr. Jefferson's administration; and the unpublished experiences of Governor Clarke were as exciting to me as a first class romance.

"I also found and read Colonel Benton's articles in the St. Louis *Enquirer* of 1818, which he edited, in which he advocated the route explored by Lewis and Clarke, as just the proper one for the United States to adopt and open up as the 'American road to India,' though in one of his speeches in Congress, seven years afterwards, he thoughtlessly argued that we should not encourage the emigration and settlement of our people beyond the Rocky Mountains, and that our government should erect 'a statue to the god Terminus' upon the highest peak or range of the Rocky Mountains as a warning that 'so far thou shalt go, and no further.' Mr. Benton cast away these obsolete ideas after hundreds and thousands of his constituents began to flock to Oregon in 1841-'2-'3.

"In 1834 the late Colonel Campbell, of St. Louis, and Mr. Sublette (partners in the fur trade) founded a trading post where Fort Laramie now stands, and made yearly excursions with their trappers about the heads of the Missouri, Yellowstone, and Columbia rivers, and sent their furs and peltries every spring to the Fur Company headquarters at St. Louis down the Platte river in batteaux. Many daring and adventurous young men left for the mountains every year for the same purpose, and in the June rise of the Missouri river would descend in batteaux to St. Louis and deliver their peltries to the American Fur Company. From all these sources I derived much interesting knowledge of the mountain topography, and especially of their *passes*, through which railroads might be built to the Pacific ocean, and thus avoid the carrying of the traffic of Colonel Benton's 'American road to India' upon camels' backs, over the Wind River mountains of Montana, to the head waters of the Columbia, as Mr. Benton advocated.

"Then, also, large caravans left Independence, Mo., for Sante Fé and Chihuahua, and returned with wool, hides, furs, and *gold dust*. I ascertained that the gold dust chiefly came from the Rocky Mountains, west and northwest of Sante Fé, and thus reasoning, *a priori*, I believed gold to abound in most of the ranges of the Rocky Mountains, as we knew it did in the same range of mountains in Old Mexico, the geology of all being generally similar.

"Filled with all this romantic information of the Rocky Mountain ranges, and being very familiar with the level topography of the broad valley of the Mississippi, I saw that railroads could and would eventually be built, not only to the Mississippi river, but to the Pacific ocean, as soon as capital became more plentiful, and the public mind became better educated as to the vast latent resources of the West and the Pacific slope.

"With these views of the possibilities and future outcome of the vast country between the great plains and the Pacific coast, I visited Boston and the chief Atlantic cities for the first time in the spring of 1839, and soon learned to my amazement how few men had travelled even so far west as St. Louis, and every body seemed to be totally uninformed about the region above named. I found the leading Boston men applying to the Legislature for aid to construct a railroad to Albany, so little confidence had they in their ability to raise private means to build the road. They applied to me to write out my

views of the matter, and especially of the advantage of pushing railroads into the West as far as the Mississippi river, which I did, and they published them in pamphlet form.

"They seemed so amazed over my apparently extravagant views, that I was prompted still further to amaze them by the utterance of predictions which caused a smile of perfect incredulity. I told them they were able to build a continuous railroad from Boston to St. Louis and Rock Island in eight years, but I would allow them fifteen years. Strange as it may appear, their cars ran over the iron rail to Rock Island and St. Louis at the close of the fifteenth year, the same month I wrote the prediction fifteen years before. I also added that in fifteen years more a railroad would reach from the Mississippi to the shore of the Pacific ocean (or making thirty years in all from Boston), and that Council Bluffs would become the half-way house on the Boston line or parallel to the Pacific, and this prediction was fulfilled within two months of the time allotted—or in May, 1869—and the event is like the other, historical.

"I passed the winter of 1841-'2 in Washington city. I had been appointed by President Tyler, in the first month of his administration, April, 1841, as Surveyor-General of the States of Illinois and Missouri. Shortly afterward Mr. Tyler was unfortunately persuaded by the Clay wing of the Harrison and Tyler party to call an extra session of Congress for the summer of 1841.(?) The old United States Bank influence at once loomed up in that session over and above all other questions. Bank bill after bank bill was passed, and as often vetoed by Mr. Tyler. He would sign a United States bank bill for the charter of a bank for the District of Columbia, with power to plant branches in the States, only upon the *consent* of those States.

"Great excitement followed the vetoes of President Tyler. All the cabinet officers resigned except the intellectual giant, Daniel Webster. Party excitement rose to more than fever heat. At St. Louis there were two leading daily papers, the *St. Louis Bulletin* and *Missouri Republican*,—the former advocating the "Harrison and Tyler" administration, the latter the imperialism of Mr. Clay and his United States Bank followers.

"I put my shoulder to the wheel in the daily *Bulletin* in support of Mr. Tyler and Mr. Webster, and their views of the policies best adapted to the public interest. Before the close of that 'hundred days reign of terror,' as Senator Benton termed that extra session, my name was called up for confirmation as Surveyor-General. The Clay men, while I remained at my post at St. Louis, traduced me in the Senate, and in August enforced my rejection.

"My pride of character would not submit to such wholesale murder by a stab in the dark. Upon the opening of the session of the Senate in December, 1841, I called upon that body, through their public land committee, to furnish me the cause of my rejection. The "Star Chamber" on the Clay side pretended indignation over my presuming to call them to account, for they had for months previous been rejecting nearly every nomination Mr. Tyler sent to the Senate, and they could not feel too indignant that a supporter of Mr. Tyler should have the presumption to question their reasons for rejecting him.

“While the public land committee of the Senate were acting upon my case at intervals during the winter, I took every opportunity to press upon the mind of Mr. Tyler the importance of a government expedition to explore a route across the Rocky mountains to the mouth of the Columbia river, even if no other public benefit were gained than to make known the best line of travel for our emigrants to Oregon, who, in large numbers, began to pick out their way through the mountain passes into Oregon the previous year of 1841.

“My noble friend, Senator Linn, of Missouri, chairman of the committee on Territories, had about that time introduced a bill to organize Oregon into a Territory of the United States. Col. Gilpen, afterwards Governor of Colorado, returned that winter from a private expedition down and up the Columbia river, and I had the extreme pleasure of listening to his eloquent and fascinating descriptions of that country during many interviews with Senators Linn and Breese, who were collecting material to use before the Senate in their discussions upon the merits of the bill, which almost the whole Senate treated with a smile of indifference and impatience whenever the subject was called to their attention. From Dr. Whitman, a missionary to Oregon, much useful information for emigrants and the senators who had charge of the bill was also obtained at that time.

“Thus my mind, from the many sources above named, was so strongly imbued with the importance of educating the public mind up to the great value to the United States of possessing and occupying Oregon, California and the Rocky Mountain country, that I lost no opportunity that winter to converse with the President upon the subject, and press the great need of a government expedition.

“I informed him that, before 1842 expired, his more intimate friends would, with great earnestness, commence the agitation of the Texas annexation question, and that the public mind should be convinced of the eminent importance of acquiring from Mexico by purchase all her sea coast and Rocky Mountain domains north of the 32nd parallel of latitude.

“In the meantime, in February, 1842, the Senate committee on public lands, composed of Senators O. H. Smith, Rives, Talmage, Walker and Prentiss, sent me a voluntary letter, stating “that injustice was done you (me) in the rejection.” I laid this before the President, when he said that if I could reasonably satisfy him that I would be confirmed, he would take the risk of re-appointing me to the same office from which the Senate had rejected me; and went on to say it would be a dangerous and unparalleled step for him to take, because if not confirmed it would greatly injure both him and me, as it would look like defiance of the Senate on his part. Messrs. Gilmer, Wise and Cushing kindly assured him soon after of their belief that I would be confirmed, and on the 14th of March, 1842, he re-nominated me to the Senate to be Surveyor-General of Illinois and Missouri, and on the 17th I was *unanimously* confirmed.

“I called upon Mr. Tyler the next day, and found him about as well pleased over the result as I was, as it constituted a triumph that had never been achieved before (nor since), as shown by the annals of the Senate. While in this pleasant mood, the President asked me if I could not suggest

some means by which he might soften the asperities of Senator Benton towards him and his administration. In an instant the thought flashed through my mind as to how he could best accomplish his wish. I said, 'You have it in your power to touch his heart through his domestic affections. Six months ago his pride was humbled by the marriage of his highly educated daughter Jessie to a mere lieutenant of the United States engineer corps, and he refused them his house. I have just learned that lately he invited them to return to his home, and know they have done so. Now you have a chance to gladden the senator's pride, and by so doing serve both yourself and the country, by taking Lieutenant Fremont by the hand, and giving him a chance to rise in the world by appointing him to head an expedition to explore the Rocky Mountains and some part of the Pacific coast.' Mr. Tyler thought it might stir an excitement with the higher grade officers of the engineer corps (as it did), and that he might not be fully competent to execute the high duties entrusted to him. I replied that these objections need not prevent his appointment, for Lieutenant Fremont had spent the past two years aiding the eminent French scientist Nicolet in taking the hydrography of the valley of the Mississippi, and must be familiar with all instruments and modes of using them in such an expedition. And even if he should not prove judicious in selecting scientific men suitable for that part of his corps, he would have the able assistance of Col. Benton and his talented wife to fall back upon; and that Senator Benton, on the return of Mr. Fremont, would receive, examine and present his report to the Senate, and take great pride in making an eloquent speech of it (as he did), and thus cause the American reader to examine and well consider its instructive contents—all of which events took place, and the report of his first, if not his second, expedition gained sufficient notoriety to insure its republication in Germany.

"At the close of our interview, the President, in his most earnest manner, said: 'I will at once appoint Lieutenant Fremont to the head of such an expedition, and start him off this spring, so that the country may know as soon as possible what to say and believe of that vast unknown region, and I shall learn how much effort to expend in striving to acquire it by purchase from Mexico by the time that Texas can be annexed.'

"Fremont made ready to start from St. Louis with his expedition as soon as there was green grass to subsist his animals upon, with an outfit of fifty to sixty men, after leaving Independence, Missouri, and moved up the Platte river and its north branches to the old 'South Pass,' and thence to the head waters of Snake (or Lewis) river, and down it and the Columbia river to Astoria, thus avoiding Mexican Territory, but kept close along its northern border until after he entered Oregon Territory.

"The following winter, 1842-'3, Dr. Whitman, the Oregon missionary, returned to the East, and furnished valued data about Oregon, and the practicability of a wagon route thereto across the mountains, and emigration thither rapidly increased, thus aiding in securing a more speedy passage of Dr. Lewis' Oregon bill.

"From this time the public mind of the West began to clamor for the boundary line of the Ashburton treaty to be extended to the Pacific Ocean

along the same line of the forty-ninth parallel of north latitude, which the West claimed for the north boundary of Oregon, and would never have consented to any line short of the forty-ninth parallel.

"The political fools of the Polk campaign, who got up the war-cry for 'fifty-four-forty or fight' soon had their wings cropped by Col. Benton, when the question of that boundary came to be discussed in the United States Senate. He spoke the Western sentiment when he declared for the forty-ninth parallel, and Congress adopted that line.

"Mr. Tyler was convinced that the United States properly owned up to that line, and tried to get the question favorably considered by England.

"From the time Fremont started on his expedition in 1842, Mr. Tyler constantly bore in mind the prospect and possibilities of acquiring the ten degrees of latitude I have before described from Mexico, and was so fearful that England or France would obtain a lodgment on the California coast, that when Commodore Jones took charge of the Pacific squadron, he jocosely hinted to Mr. Jones personally to closely watch the movements of the French and British vessels, and not let them be the first to gain a 'preemption' right to any of the California harbors.

"He very loyally remembered the President's jocose injunction, but was deceived as to the real state of affairs, and was tempted to capture Monterey before there was any real danger of being anticipated by either of the other powers represented on that coast. I happened to be with the President the same evening (I believe in December, 1842) that he received dispatches from Commodore Jones of his taking Monterey, and that he had very soon surrendered her to her rightful owners.

"Mr. Tyler said, 'Jones has got me into trouble, and I have done the same with him. I will, however, have to disavow his act to Mexico, but will make it all right with him.'

"Very truly, your obedient servant, SILAS REED."

"Personal Note: In reference to Mr. Polk's treachery to Mr. Tyler and his friends, I may state that the latter assembled in Baltimore, in May, 1844, in convention, one thousand in number, to nominate Mr. Tyler for the presidency. We did so, myself being one of the delegates.

"A number went on to Washington, and soon 'Col. Polk' arrived from Tennessee with authority from his brother, who had just been nominated, and pledged Mr. Tyler that if he would withdraw from the canvass, he would save his friends from removal. I have in Missouri some sheets of the manuscript of his withdrawal. We were all bamboozled by the false pledge, as I then feared. The Van Buren National Convention met the same days as ours in Baltimore, and to kill off Van Buren they adopted a two-thirds rule. The first telegraph ever used in this country was brought into operation that day between Baltimore and the Senate chamber at the Capitol, and but for which the Polk conspiracy would not have succeeded. S. R."

The text (*ante*, Vol. ii., pp. 260, 435, 448, 449,) establishes Mr. Tyler's anxiety to acquire the Western territory. The aim during Mr. Webster's occupancy of the State Department was for six degrees across the continent.

This specification is upon reported conversations of Mr. Webster. Mr. Webster was opposed to further Southern territory, and Mr. Calhoun could have readily agreed with Mr. Tyler as to extending the area to thirty-two degrees, recognizing the line of thirty-six degrees thirty minutes. In this the Mexican minister might have agreed, but Dr. Reed, I think, is clearly wrong in supposing that the *Mexican government* ever in fact approved either specification. That she would have done so had not Mr. Tyler's hands been controlled by the rejection of the Texas treaty in 1844, or by the period of his term, is certain. The Mexican minister appears to have agreed to Mr. Webster's offer, (See Niles, lxx., p. 257.) and very probably did so to Calhoun's. At least it is to be presumed so on Dr. Reed's memory of Mr. Tyler's words. The general motives for Mr. Fremont's appointment as explorer of the West, which was all a part of Mr. Tyler's great plan of territorial acquisition, (tripartite treaty, Whitman's caravan, etc.,) I had heard explained by the President's private secretary (see *ante*, Vol. ii., p. 292). Mr. Tyler took in consultation but a few of his friends, and the appointment was made against the complaints of Col. Abert, head of the Topographical Bureau.

As to Jones' escapade at Monterey. Dr. Reed agrees with what I explain (*ante*, Vol. ii., p. 266,) as the true history of the matter.

E.

Interesting Letters in connection with the Canvass of 1840-'41.

The following letters came to hand too late for insertion in their proper places.

[THOMAS W. GILMER TO GEORGE R. GILMER.]

CHARLOTTESVILLE, Dec. 18, 1838.

MY DEAR SIR: I had the satisfaction of receiving the copy of your last message from you some time since, for which proof of your recollection I beg you to accept my acknowledgments. I have often regretted that there has been so little intercourse between us. As we rarely meet, and as our positions are such as to render more frequent and familiar interchange of sentiments agreeable and profitable (at least to me), I hope for the future there may be sometimes the scrape of the pen between us. I believe that with few, if any, exceptions we have agreed in all the changes and chances of these latter days, and our relations of blood and of feeling ought to draw us still closer together. I should like to have the aid of your superior experience and forecast in reading the signs of the horoscope, which to me are sometimes almost unintelligible. What are we to come to, and what is to come to us? I mean, of course, the honest, independent State-rights Republicans of the South. If we follow any of these fellows who have set themselves up as leaders of our little host, we run against the post of their selfish ambition at every turn, and must ramble and grope with them through the zodiac of their change. If we stand aloof from the dirty scramble for high office, and say as patriots that the "play is

not worth the candle" to the people, we are denounced as exclusives and impracticable theorists, behind the spirit of the age. I confess I am at some loss whether to maintain "principles without men, or men without principles." What say you? *My* friend Calhoun has the happiest facility, of getting others into scrapes and getting himself out, of any one I have known. He must be cured of this notion that *he* alone can lead a party which he never belonged to till Jackson kicked him to it as a forlorn hope, after the *denouement* of the Eaton plot. You may make what terms you please as to him. I would that Virginia had some man who could once more seize the flag of the South and plant it on the turrets of the Constitution. But alas! poor Virginia!—*Illium fuit!*

You must raise the standard in Georgia, and we will come to it with the best hearts and stoutest hands we can rally. The present position of parties is singular, and I should not be surprised at any change. I am myself not enlisted for the war, as you are, having a large family to provide for, and only play a round now and then. But while I am in the ring, I would feign sustain good, sound principles, and good, sound men too, if we could find them. *My* friend Rives is an American in France, a Frenchman in America, a *petit maître* everywhere, who regards a quizzing glass as the chief part of a statesman.

Jesting apart, I wish to communicate with you freely and unreservedly as to the present state of affairs and of parties. I know no one with whom I could expect to confer more freely or profitably at present. I am now in our Legislature, which meets in a few weeks. I doubt if I shall continue in public life, as my private duties do not allow me to indulge the bent of my inclination for public affairs. When I cannot come, however, I will always endeavor to lend a hand, good and true. Virginia and Georgia must be shoulder to shoulder. What say you?

Write to me freely at Richmond, where I shall soon be, and let us see what we ought to do, and what we can do.

My love to my cousin, Mrs. G. Our friends here and in Rockingham are all well. I have *seven* children, so that the race is not likely to become extinct. I trust my adventures in Texas may turn out something for the large family who are dependent on me, but that remains to be seen.

I remain, with affectionate regard, your friend and kinsman,

THOMAS W. GILMER.¹

[THOMAS W. GILMER TO FRANKLIN MINOR.]

RICHMOND, *February 12, 1840.*

DEAR FRANK: I received your very friendly letter some days since, and acknowledge it with sincere gratitude. I had duly considered the suggestions which it contained, for they had occurred to me as possibly furnishing grounds for the *uncharitable* class of political hacks to assail me by misconception and misrepresentation. The means of defense, however, were so

¹ See extract from reply of George R. Gilmer, in allusion to Calhoun, *ante*, Vol. ii., p. 295, note 1.

abundant and accessible that on conference with our friends, and after the maturest deliberation, I could not think, nor could they, that any human being would with any plausibility misunderstand me. I have never sought the office to which I am now elected.¹ That is well-known here by all parties. Indeed, I have throughout the winter been endeavoring to secure the election of another (Mr. Macfarland), because I thought with his connections among the Democrats he stood the best chance of election. This also is known to many members of both parties. Up to a late period on the night previous to the election, I refused to run, and continued to endeavor to elect some one else, urging the certainty of my vote for another, and the impossibility of voting for myself, as a reason why another candidate would be stronger than I. On yesterday I went to the House and kept the chair till I was nominated. I had not consented to run up to that moment, but left the matter in the hands of my friends, Southall and Dorman. I was elected. One Whig was absent. My election seems, from the hearty congratulations I receive, to have been in the highest degree acceptable to our party, and not mortifying to the opposite party. Indeed, many of the latter have expressed their entire satisfaction, and say they would have voted for me over all the candidates if they had thought their constituents would have sanctioned such a vote. Under these circumstances you will perceive that neither I nor my friends have any thing to apprehend. The office has been forced on me under circumstances which will forever acquit me of entering into or conceiving any plot to obtain it, or of desiring it. The suspicion you allude to was never once hinted at in the debate by the most illiberal, unscrupulous partisans. Southall invited every one to assail my private or political character, and defied investigation. Not one word was anywhere hinted against either, except that I had gone into the Harrison meeting here. But for that I could have received two-thirds or more of the General Assembly. Never fear for my character while it is in my keeping. What am I to do? There is a general wish for me not to resign the chair, and yet I must take some time to arrange my business. How does my wife take it? I hope my friends, knowing her feelings, will do all they can to reconcile her feelings to my duty, and not jest with her and aggravate objections already almost invincible.

Love to all. Faithfully yours, THOMAS W. GILMER.

[UPSHUR TO JUDGE N. BEVERLEY TUCKER.]

VAUCLUSE, *February 22, 1840.*

DEAR JUDGE: I have had your letter of the 10th some days under consideration. The struggle between my wishes and my better judgment is at length at an end. In the uncertainty in which a large part of my *rightful* resources still remains, I deem it altogether unwise to purchase either Indian Fields or Tinsley's. I have not yet sold my land. Gen. Bagby, to whom I expected to sell, has given for a very inferior estate the full price I should have demanded, and I do not know where to look for another purchaser. I

¹ Of governor.

cannot, therefore, look any higher than Galt's, and even that I shall probably not retain, unless I can sell here or succeed in my large Staunton claims.

I see you are out again as "a friend to State-rights." Your last number is a stab under the fifth rib to some of your friends, who think with you on every subject except the sub-treasury. Now, my sub-treasuryism does not go the whole hog by a great deal more than the tail and bristles. All that I demand is that the government shall have no connection with the banks *established by law*. Rescind the joint resolution of 1816, enact any and all sorts of security which would be deemed necessary, under *any* system, in order to ensure honesty and fidelity in the fiscal agent, and you have the system which I approve. I do not see any objection to this in the view which you have given of the Russian plan. In order to render that plan dangerous, two things are necessary,—first, that the government dues are to be paid in specie; and secondly, that the government shall be authorized to issue stock *ad libitum*. Now, whether or not our wise men at Washington mean to incorporate these provisions in our system, I do not pretend to know, for I have not seen their scheme; but I have no difficulty in saying that I would oppose any system which did not exclude both. They are not necessary to the sub-treasury plan, and certainly would be, if incorporated in it, productive of all the mischief which you have pointed out. Do I misunderstand the Russian system? and if I do not, is not the danger to be found where I have supposed it to be?

Have you had any communication with Ruffin relative to the proposed State-rights journal? I have strongly encouraged him to undertake it, but I am really afraid that there are fewer men than I had supposed willing to stand up to the rack, fodder or no fodder. It seems to me that the Richmond *Whig* has flogged everything like spirit out of the State-rights men. Even Gregory has given way; then what is to be hoped from others? The golden opportunity of rallying upon our principles and causing ourselves to be felt and respected as a party has been permitted to pass unimproved, and another is not likely to occur. Our public men seem determined to merge themselves in the two great parties, and thus to make public profession that they are worthy to be counted only as tools and instruments and make-weights. They had the game in their own hands, and might, if they had played it right, have compelled the other parties to come out so distinctly that there would have been no difficulty in knowing who were and who were not the true State-rights men. At the very moment when the Federal government is trampling on the States and insulting them in a manner which no one could have imagined possible, these men are suffering all their State attachments and State pride to be absorbed in their interest of Federal politics. Rely upon it, Judge, no good can come of this. The other parties will flatter and use us so long as we can help them, but they will do nothing for our principles. Hence the deep interest which I feel in the establishment of Ruffin's paper. If we had the means of making ourselves heard, we might do something; but we must work at home, and not in Washington. More of this when we meet.

Tell my boys that their friends are well, except my brother George, who

had his shoulder dislocated by a fall, and was otherwise bruised and hurt. He is, however, getting well.

Mention me with all respect and friendship to Mrs. Tucker.

Your friend truly,

A. P. UPSHUR.

[THOMAS W. GILMER TO FRANKLIN MINOR.]

RICHMOND, *December 30, 1840.*

DEAR FRANK: I suppose either that you concluded for some good and sufficient reason, which did not occur to me, that the scheme was useless or injurious, or that Wood was unwilling to give it a wing, as no extracts from the numbers I wrote over "A Virginian," in 1838, have appeared in the *Advocate*. I thought with you, on reflection, that the notions on the currency would be of no avail now, as the whale was amusing himself with other tubs; but I thought the views presented in the first and second numbers, as to the state of parties, and on the course and duties of the Whig party in particular, would be very reasonably published just now. I do not wish, however, to press the matter, if any reason has suggested itself to your mind rendering the thing even doubtful, or if Tom is squeamish, as I have thought, was probable. My position is now a strong one. It is invulnerable from either flank of either party, and from their combined forces. This is owing to the principles which with my tongue and pen I have uniformly advocated. The Democrats now profess what have always been my principles, and the Whigs are coming to the same point. It is therefore important to show that I thought and wrote so and so as long ago as 1838, when I was not in a position to express my opinions except through the press. Webster has been offered the premiership by Harrison. This is bad, but chiefly as an omen of worse things which may follow. We of the strict Republican school have nothing to fear if the earth quakes. We have kept the faith, and ours is the position on which Whigs, Conservatives and Democrats must rally, unless the people are always going to be led by the nose as to mere men. I wish you would revolve these points in your head. I could easily change my position, they tell me, for one in the Senate; but I am by no means anxious to do so, as I do not think it likely that the battle is yet over, and I can do as well here as there, unless I could carry more weight of character with me, or unless we could rally a strong and sincere State-rights party in the Senate. Harrison will be here soon. If he wishes my opinion, he shall have it flat-footed. Rives does not get to the cabinet. The Whigs now find him somewhat of a drag on their hands, and hate him worse than the Impracticables did. His position and theirs are both amusing. Let them work it out. If Tom is disinclined to aid in developing my resources do not press him, I beg you. I would rather go afoot than ride an unwilling horse. I can get on without him, though at present I have no press that is particularly favorable to me. They are all, like the parties, respectful, but this I owe to my position.

It is rather too late now for the extracts to have much, if any, effect, and I care less about their being published than I did at first. Tom does not notice my correspondence with Seward, though I sent it to him.

They say that South and Coles will hold on as long as they can, and the young aspirants may hang their harps on the willows.

I am quite sick of a cold. Yours sincerely, THOMAS W. GILMER.

RICHMOND, *January 15, 1841.*

DEAR FRANK: . . . You say nothing of Tom's views as to my correspondence with Gov. Seward. He has maintained a studied silence, which induced me to apprehend he was not very favorable to my interest. I sent him a copy. His paper is rather a poor concern, I think, and seems to have disappointed public expectation altogether. He has approved Webster's appointment as Secretary of State, and is quoted by the *Intelligencer* as a sign from Albemarle, where I should suppose there cannot be more than one hundred votes who would approve it. It is universally disapproved here by our party, and letters have been written by everybody who could write to Washington entreating our friends there to avert so heavy and disastrous a calamity. If not averted it knocks us into a cocked hat in Virginia and everywhere. The editors of the *Whig* (or rather the senior of the concern), I believe, is the only Whig here who approves, and his article a few days since, like Tom Wood's, will seem to undo what the whole party are trying to effect. The vice-president and all the Southern Whigs at Washington think as we do on this point. Tyler wrote me he would come and stay with me during Harrison's visit here,¹ and I shall try then to get Webster put into some dark corner, or thrown overboard entirely. He is a Federalist of the worst die, a blackguard and vulgar debauchee;² and but for his splendid talents would be in a jail, or on some dunghill. He won't do, and the men who cling to him can't stand. You ask who is to go to the Senate No. 1. I answer Rives, I suppose. You ask as to No. 2. *Non sum informatus*. Many have spoken to me about running for both places. I have invariably answered that I did not seek either, and wished it distinctly and emphatically understood that I would not be in anybody's way, nor embarrass my friends. If after so broad a declaration they can agree, as I suppose they will on some other, of course I shall not be the man. If, however, they find difficulty, as some of our friends apprehend, *I may* be chosen as a dernier resort. I thank you for your advice. Do you observe any symptom of too much ambition? I thought I had been very modest and self-denying, and surely the ground I take and have taken for two years as to proffered promotion to the Senate entitles me to a verdict of acquittal from a charge of restless ambition. I try to be, as far as vain mortal can be, devoted to the public good, while I cannot help feeling gratified by the confidence of my countrymen and their desire to promote me. I do not mean to run ahead of the public wish on this head.

We are all well except myself. My health has not been good for a month, though it is mending.

Love to all,

THOMAS W. GILMER.

¹ See page 14, *Ante*, for Mr. Tyler's letter.

² Webster's visit to Richmond, in October, 1840, had not impressed the Governo with any great idea of his character for temperance.

RICHMOND, *January 16, 1841.*

DEAR FRANK: . . . I hear from several quarters that I *can* go to the Senate, No. 2. If the thing comes right side up I will take it, though I do not care for it. I have done my duty in advising proper measures. If they are not followed and harm ensues, the fault is not mine. I see that my correspondence with the Governor of New York is exciting some sensation in the States.

If we do unite with our former opponents in resisting legislative encroachments, we only carry out our old principles. The test of Harrison's administration turns on his cabinet and his measures. If they are bad, we are no worse off by being in opposition. We shall soon see more and know better how to act.

Yours, THOMAS W. GILMER.

SHEPHERDSTOWN, *May 25, 1841.*

DEAR FRANK: . . . I expect to go to Washington on Friday. I spent Sunday and Monday there as I came on; dined with his majesty on jowl and greens, took my seat in the House, etc., etc. There is now a dead sea at Washington,—all anxiety for the extra session; everybody speculating and nobody knowing anything that is to happen. The President told me a good deal about his views, etc., etc., but as I am not at liberty to break the seals, least said soonest mended.

I think we shall have a short session. Missouri and Mississippi being absent is a good excuse for not agitating general questions, and therefore a fortunate occurrence, I think, in the present position of parties, etc. I hear nothing of the chair except general rumors not to be relied on. I have no expectation of success, and hope my friends make no calculations for me. "Blessed are they that expect little, for they shall not be disappointed."

Drop me a line occasionally, and remember me to your wife, Aunt Sarah, and Uncle Dick, and everybody that cares for

Your friend, etc., THOMAS W. GILMER.

WASHINGTON, *July 23, 1841.*

DEAR FRANK: . . . I have no news. Everything here *passeth comprehension*; but the cat will be out of the bag, I suppose, soon. I *hope* for the best, and if Tyler is firm and true all is well.

Faithfully yours, THOMAS W. GILMER.

HOUSE OF REPRESENTATIVES, *July 27, 1841.*

DEAR FRANK: I have made a speech to-day which I would be glad for you and our friends generally to see. It shall be written out and published. There may be a meagre sketch of it in the papers to-morrow; but this speech I wish to have correctly understood, as I think it will show who is who, and what is what here, and why it is that the same harmony does not exist now that has existed. I will try and get some copies to Charlottesville by our court. Who will run for the House of Delegates in poor Coles's place? You should be the man, if it meets with the public approbation. I have much to say to you, but find no time here to write. Rives is very cordial with me, consults me, etc., about everything. He is not in good spirits.

God bless you, and love to all at Edgemont. THOMAS W. GILMER.

WASHINGTON, *July 29, 1841.*

DEAR FRANK: Harmer being absent, I drop you a line, to say that my speech delivered on the tariff, etc., day before yesterday will be sent to Charlottesville as soon as it is printed.¹ I desire it to be seen and read by my constituents just now. I hope to get it there by Monday, certainly by Tuesday. The tendency of every day here is to divide according to the old Republican and Federal divisions, as everybody will soon see. You and all our friends should consult and deliberate well as to the selection of a candidate in Coles' place. When is it thought best to bring on the election? Let me hear from some of you. The governor issues the writ, you know. See Magruder and Hart and Brown and Wood, and all our friends at court. It will be best not to precipitate it, as much remains to be seen. Yet which will affect public sentiment? Rives echoed in the Senate the cry on abstractions the same day I spoke in the House. He says he is now an *impracticable*. This, of course, in confidence. Let things work quietly, if possible, in Albemarle for a while, and all is well.

I write in haste.

Yours truly,

THOMAS W. GILMER.

WASHINGTON, *August 7, 1841.*

DEAR FRANK: I had the pleasure to receive your letter last night. I say pleasure, because, notwithstanding your gloomy intelligence and forebodings of political disasters, it is a pleasure to hear from you. Hearty, my boy! and don't fear. Stand up coolly and stoutly and let the wind blow. I tell you all will be well, not with me, perhaps, but with the country, and that is a matter of more consequence. For myself I have but little, very little, concern and no fear. Had you published or republished the essays of a "Virginian," as I wished, last fall, it would have saved me and you an infinite deal of explanations, and would have hastened events, which have ripened slowly, but nevertheless surely. Nevertheless all is well.

The President will veto the Bank bill. I know this, and am one of the very few who do know it, and you are not to know it till it is done. He has done me the honor to consult me confidentially about measures and men here, and freely. He knows, as the world should, that he has no appointment which I would take. I am, therefore, disinterested. Rives, they say, wanted to go to England, and now to be Secretary of State. I advised him to remain in the Senate, where he could be most useful at present. I talk freely to him and he to me, and no man seems to be more thoroughly with another than he is with me. I talked to him fully and freely the day before he spoke against Clay's humbug amendment, and he was speaking of Virginia abstractions in the Senate while I was in the House. He has promised me to write to his friends in Albemarle, as I told him, on the receipt of a letter from Loudoun the day before I got yours, that nothing was done at court.

I occupy a position here which gives me some power for good or evil. It has been hinted to me that I could succeed R. in the Senate if he went into the cabinet,—(I do not wish to quit the service of my district for any other),

¹ See Vol. ii., p. 58, for extract from Gilmer's speech.

—for now it is confidently anticipated by the President's friends that there will be, as I think there should be, a new cabinet.

The bill passed yesterday and will be vetoed next week. What will then follow you nor I can't tell, though I think a dreadful tornado will blow for a time, and then, mark it, a calm sunshine will ensue, by the light of which you and I and every one may tell a Federalist from a Republican as far as he can be seen. Parties have been in a false position since Monroe's time. More of that anon.

It is amusing to think of my turning *loco-foco*. Why, man, who is fool enough to think that I could be *such a knave* and fool too as to adopt the destructive doctrines of that party? The truth is, that party are disbanded, more so than the Whigs may soon be, and the elements of all parties must serve for a reconstruction of parties on some clear and definite grounds. There never was any other than Republican and Federal. The bulk of the Northern Whigs, I fear, are Federalists. At the West it is better. There many sound Whigs will stand by us,—men of whom I cannot now speak. Do the friends you mention expect *me* to turn Federalist, or do *they* mean to do so? They and you will soon see that to be a Whig in the Northern or Clay sense one must be a Federalist. If the Democrats choose to rally to the old standard of the Constitution under Tyler, be it so. I will not disdain their aid to uphold sound Republican doctrines and men. I never saw more light along the political horizon. Providence has brought about a state of things which men never would have anticipated or effected, and I *feel*, nay, I cannot doubt, all will be well. I long to meet the people who have known me. It will be in the strength of conscious rectitude. For the place they have conferred on me here, I care little, too little to sacrifice their rights, their safety, their principles, their honor or my own even for it. Banish all fear. Let who will falter and hesitate, there shall be one who will stand firm on what you and all of us have proclaimed as Whig doctrines. There are some, as I always knew, who will give way, but even they will regret it. The faint-hearted will doubt and hold back for a time; the politicians will look for a sign; but the people, the real people, will be, as I always told you, *true*. All have professed to look forward to such a time as this to bring parties to some ground of principle.

I could command honors here high enough to satiate the ambition of any man, but I prefer to go back and be again one of the people. I will enlist as a private in the ranks where the banner of the Constitution waves rather than dwell in the camp of the Philistines and sit in the highest seat of the synagogue. I have a mind, if the discontent be half as great as you imagine, to resign, after I have explained my position and sundry other things to the people of the district. The same mail that brought your letter bore others from other counties, and one from Albemarle, and from some Whigs, too,—State-rights Republican Whigs,—assuring me of an unprecedented support by the people. Be this as it may, I feel that I am right in the sight of God and men, and I fear not.

“I calm behold the angry crowd,
Nor can their clamors, fierce and loud,
My stubborn honor tame.”

I fall in their cause, if I fall, and no one ever fell in a better. My course therefore is taken. Events here may require me to speak out before I go home, though I shall not seek an occasion. I will make no war on our National Republican allies; but if they make it on me, I am ready. Here they have hinted at hostilities, and when I threw down the glove, they have retreated. We stand on the defensive,—the President and his friends,—the Whig administration. If we are assailed because we can't be renegades, we are ready. The actors will not be long doubtful. Mr. Clay and his friends have to show that a Bank, or rather *the* Bank, the tariff, etc., etc., are all Whig measures, and that he is the only Whig man. I heard his own representative, Marshall, to-day denounce Clay as "a puppy and blackguard, and ——." This is said by some of his best friends, and some who still vote with him. I agree not in these harsh denunciations. My relations and feelings toward Mr. C. are kind and friendly. I have warned him and others here to be prudent and circumspect, but he seems determined to make war on Tyler and on all Whigs who will not now surrender their convictions against a Bank of the United States, a protective tariff-distribution when the Treasury is empty, etc., etc., etc. I had a long and free talk with him yesterday. We are on good terms, and he expresses the warmest feelings for me, but I fear he is like most of the politicians, a hypocrite and selfish. I think Tyler is the most honest man among them. I agree with him as nearly as with any other public man; and if he goes right, I will stand by his administration. This is well known here. Indeed, I am considered his confidential friend, etc.; and I am amazed to hear that any Whig in Albemarle should suspect me of going against the administration, unless they consider Mr. Clay the administration. I can account for the prejudices of Cochran, Massie and the like, and for those who are resolved now to surrender the principles which they and I have all our lives professed. If this be so, I am content. There is one who will not follow their lead, and I mistake if the sentiments I utter are not those of nearly two-thirds of the district. I think I understand something of the people. The politicians shall never guide me into the support of Federal measures. But you seem to be scared yourself at the name of Federalism. Do you doubt that the thing exists, has always existed, and that it is the foil of ultra democracy, the fruitful source of more than half our woes? Thus it is. The people have and always had such a horror of Federal doctrines that they drive thousands into the other extreme. I do not use the name as a catch-word, or for effect, but as significant of those who now try to bring Federal principles into vogue under the guise of the Whig name.

I hope to be with you next court, whether we adjourn or not. I think we shall adjourn in ten days or two weeks. I shall speak to the people freely and fully on my return. I have been hard at work at retrenchment, etc., with my committee. I mean to carry out to the letter every pledge I have made, and every principle I ever professed. I am on the defensive, and if I am assailed, I feel that I wear a panoply of truth which banishes all fear. My friends may falter or recede. I complain not. I will act out the character of an independent representative or a free citizen, and when they want

a servile partisan to a president, or to any aspirant, to represent them, it will afford me more pleasure to quit their service than it did to enter it. Dismiss your fears for me, then, I beg you, and only say to my friends, that if I do not show them chapter and verse that others, and not I, have departed from the faith which they and I have professed, I will lay down my head upon the block, and yield the sacrifice. I never felt more proudly conscious of a straight-forward course than now—one easily sustained, except where I am prejudged and condemned for not being what I can't be and won't be. Rives is ready, he says, to take the stump with me, and to stand or fall in defense of Tyler's administration. He is also anxious for a veto and a reorganization of the cabinet. I repeat, then, that parties will now divide, as they did in 1829, between Republicans and Federalists, or if the name is not palatable, National Republicans. I write freely, because I mean to speak so. It is time. If men were more frank here, there would be less doubt and difficulties.

It is for those Whigs who differ now from the State-rights men where they always have, to decide whether they will renounce our association, for we can't give up our principles.

Remember me to my friends, my old friends, and ask them, if they will strike, to hear me, as I have never been false to them, and I cannot be so to myself or my country.

My love to Aunt Sarah and Lucy Ann and the girls. I hope to be with you soon, and taste a glass of old Falernian under the shadow of my own vine and fig tree. Faithfully yours, THOMAS W. GILMER.

I think it a matter of little consequence who the candidate for the county is, so he is a State-rights man. Let that be the test. Cultivate harmony and keep cool, and all is well.

F

John C. Spencer's Appointment as Secretary of War, Vol. ii., p. 123.

[SAMUEL P. LYMAN TO PRESIDENT TYLER.]

Private.

NEW YORK, October 3, 1841.

SIR: As one of your friends, permit me to state, thus early, the great gratification I feel on learning, as I have, that you intend calling to your councils Mr. Spencer of this State. His talents as a man, his reputation as a statesman, and his standing as a politician all combine to qualify him for the station, and I feel satisfied that your selection will meet the approbation of every one anxious to support your administration. He has never been identified as an advocate of the measures which now perplex and harass us in this State, and will therefore carry with him the good will and confidence of all whose opinions are free from bias or prejudice. An attempt has been made to connect him directly and disadvantageously with the recent move-

ments at Albany ; and for a while what was said with respect to that matter operated on my own mind to his prejudice, but his explanation, and all the concurrent testimony, are so satisfactory that every doubt about his views and his position has fled, and I am fully prepared to give him my humble support. I have no desire to recall a word I have said to your excellency in his behalf, but, on the contrary, would add much more if I had the opportunity. I hope and trust that Mr. Spencer will accept, and that the announcement will be made before the State Convention, which is to be held on the 6th inst. After such an announcement, it will not be in the power of the delegates to that convention, whether Clay men or not, to do your administration any harm.

I have the honor to be, sir, with great regard, your friend,

SAM'L P. LYMAN.

G

Mr. Tyler's Withdrawal from the Canvass of 1844.

In a letter dated July 6, 1844, after Polk's nomination, Mr. Tyler wrote to Robert Tyler, in Philadelphia, then President of the Irish Repeal Association : " Our course is now a plain one, Make these men feel the great necessity of my co-operation." Mr. Tyler withdrew from the canvass after repeated voluntary assurances from Polk's friends that his friends and appointees to office would be treated as good Democrats. Instead of this, Polk yielded to Benton, and treated them as aliens ; but he met his reward.

See page 341, *ante*, as to how completely Mr. Tyler's power was felt by the Polkites. The extent of Robert Tyler's political influence in Philadelphia may be understood through the letters of Buchanan to him. President Tyler, unlike Andrew Johnson, who also collided with his party, achieved the difficult task of rallying a third party strong enough to enable him to carry through all nearly his public measures.

H

The Whig Party of 1840, Vol. i., 584-633 ; Vol. ii., 502-505.

The Whig party up to 1841 was the State-rights party, committed against the American System. The Northern men, after 1841, headed by Clay, seized upon the thing, and book after book has been issued from the numerous Northern publishing houses underrating Mr. Tyler and asserting that the " Whig party" and the " National Republican party" was the same. The wish is father to the thought. In the same way the North contended that the Union was a consolidation. The Clay Whigs *wanted* the Whig party to be the National Republican party, because if Mr. Tyler was not a traitor,

then *they were* what they charged him to be. One of the two had to be traitors, and it was much more convenient that Mr. Tyler should be. In like manner the Republicans of 1861 wanted the Union to be a consolidation, because they ruled the Union, and a confederation of States conveyed the idea of separate individuality and equal rights. But the stubborn facts of history has led them into the most palpable absurdities. They glibly talk about divided sovereignty, *quasi* independent States, and other such nonsense. But the opponents of the Virginia doctrines, when they come to write about Mr. Tyler, show a spirit of ignorance, whether intentional or not, which is simply stupendous. Schmucker, in his "Life of Henry Clay," p. 166, says that "Mr. Clay, at the White House, was assured by Mr. Tyler that he had formed no opinions adverse to a national bank." He gives no authority, and wants none. Mr. Stanwood, in his "History of Presidential Elections," says "That the Whigs were really unanimous, or substantially so, in holding all the views from which he dissented." If this were so, it would puzzle the best thinker of the age to devise a reason for Mr. Tyler's nomination as Vice-President. Mr. Julian, in his "Political Recollections," deserves the prize above all. In his opinion (p. 13), neither General Harrison nor Mr. Tyler were Whigs "in any sense." Will this amiable gentleman inform me how they came to be nominated? Even Von Holst, full of error, prejudice and gullibility as he is, but who lifts himself far above the racy "Sir Oracles," calls Mr. Tyler a "hybrid Whig," when, in the same breath, he says his view of the canvass of 1840 is "unquestionably correct." Come, gentlemen, "tell the truth and shame the devil." Mr. Tyler was the "*true Whig*," and "Clay and his cohorts" were the "renegades," "traitors," and "hybrid Whigs."

I have given the votes cast in Virginia at the various presidential elections, but no State shows better than Georgia does the insolence against which Mr. Tyler had to struggle.

Virginia and Georgia both voted for Crawford in 1824. In 1828 Jackson's majority in Virginia was greater than the whole vote cast for Adams. In 1832 Clay received but one-fourth of all the votes in the State. But when the Whig party was formed, the majority for the Democrats was reduced to 6,893 in 1836, and to 1,413 in 1840.

In Georgia no National Republican ticket at all was voted in either 1828 or 1832. "All in Georgia were Jackson men whilst Gen. Jackson was in office," says Gov. George R. Gilmer, in his "Georgians,"¹ p. 561. But in 1836 the State went Whig by over 3,000 majority, and in 1840 by 8,360. George R. Gilmer was Whig elector in 1836 and 1840.

Similar figures might be given as to other States of the Union South and North.

¹ A very remarkable work.

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